

Allerdale Borough Council

Planning Application FUL/2020/0250

Proposed Development:	Construction of 123 residential dwellings with associated parking, access and landscaping
Location:	Land East of Main Road High Harrington Workington
Applicant:	Mr David Hayward Story Homes
Recommendation:	Grant, subject to conditions and the signing of a legal agreement to secure the affordable housing provision (8 units for social rent and 4 units for discounted sale) with re-appraisal mechanism, and a commuted sum for the ongoing monitoring of a Travel Plan (£6600.00).

1.0 Summary

Issue	Conclusion
Principle	High Harrington lies within the Principle Service Centre for the Borough within the Allerdale Local Plan Part 1 (ALPP1), to which the major new development is directed, including the largest proportion of new housing. The provision of an additional 123 dwellings would contribute to and not exceed the requirement to be provided by the Principle Centre, and as an allocation with Part 2 and with an extant planning permission for housing, the principle of housing at this site has already been accepted.
Benefits	<p>The provision of 123 houses would contribute to strategic objective SO2c of the ALPP1, which seeks to ensure a deliverable supply of housing land that meets the needs of the community and local economy, as well as the Council Plan in terms of strengthening our economy and supporting the development of new homes where they are needed.</p> <p>The additional affordable houses to be provided by the proposal would increase access to affordable housing in the Borough, in accordance with strategic objective SO2d of the ALPP1.</p>
Sustainability, Access, Highway Network, Parking	<p>The site is considered to have good access to a regular bus and rail route and can connect to a national cycle route. Lit pedestrian footpaths exist to the north and south of the site, albeit some walkers may be discouraged by distance and the busy A597.</p> <p>Overall, the site is considered to be sustainable, given the level of access for pedestrians, cyclists and the proximity of a regular bus and train route.</p>

	<p>The proposal is considered to provide adequate access arrangements and no concerns are raised by the Local Highways Authority in terms of impact on the adjacent road network. No concerns are raised by the Highways Agency with respect to the trunk road.</p> <p>The parking provision is considered to be acceptable having regard to the County Council's Design Guide.</p>
Flood Risk/Drainage	<p>Subject to conditions to secure a detailed drainage scheme, then no concerns are raised by the Local Lead Flood Authority or United Utilities. Using attenuation measures including an on-site pond, run-off will be restricted to the greenfield run-off rate and the system is designed to accommodate a 1 in 100 year event plus an allowance for climate change.</p>
Landscape and Visual Impacts	<p>A development of this scale will undoubtedly have some landscape and visual impact. These impacts will be localised and contained to some extent by existing development to the north, west and east. The main changes of note will be the loss of farmland and a further encroachment into the open countryside, the presence of development over the crest of the hill when approaching High Harrington from the south and the change in outlook for nearby residents. The adverse effects in this respect are not considered to be significant, sufficient to warrant refusal of the development.</p>
Design/Appearance	<p>The scheme is considered to provide a good quality scheme that responds appropriately to the surroundings.</p>
Residential Amenity	<p>Subject to a number of recommended conditions relating to the treatment of levels across the site, the scheme is considered to provide a high standard of housing environment without having a significant adverse effect on existing occupiers.</p>
Ecology/Trees	<p>A suitable Ecological Appraisal has been provided for the proposal along with soft landscaping plans, the recommendations/mitigation measures of which are proposed to be secured by condition. The proposal will retain boundary hedging and trees, with the exception of the hedge to the site frontage. Additional tree planting is proposed throughout the scheme and infill hedgerow is proposed to the southern boundary, which will be secured by condition.</p>
Amenity Greenspace/ Children's Play Space	<p>Generally compliant with the Council's adopted Supplementary Planning Document. A condition is proposed to secure the provision of at least four pieces of play equipment which should provide for an age range for toddlers and juniors. Delivery is stipulated before the 80th plot.</p>
Affordable Housing Provision	<p>10% affordable housing provision is offered in the amended scheme. The viability evidence provided by the applicant to justify this lower provision has been externally reviewed on behalf of the Council and is considered to be acceptable. A section 106 agreement will be necessary to secure the works and the Peer</p>

	Review recommends a re-appraisal mechanism be included, should the development secure higher sales revenues than accounted for within the Viability Report.
Education Services	Cumbria County Council confirms that provision is available at both Primary and Secondary age and that no contributions are necessary.
Other Matters	No concerns relating to ground conditions or heritage impacts.

2.0 Proposal

- 2.1 The proposal seeks planning permission for the erection of 123 dwellings.
- 2.2 The proposal would be accessed from Main Road, High Harrington (A597), opposite Whins Farm and approx 50m south of the existing Story's housing estate adjacent Whins Farm. A second Emergency Vehicle Access route is also proposed off Main Road through an existing field to the south at a distance from the main entrance of approx. 70m. This would connect to the first cul de sac within the proposed scheme and would not be for general use, but emergencies only.
- 2.3 The proposal includes a looped road layout off the main access, with a number of private drives and shared surface roads transecting and spurring off from this loop. Given the sloping nature of the site, the proposal would include some earthworks and regrading of levels.
- 2.4 The proposed housing consists of:
- 6 x 2 beds – including 2 bungalows
 - 37 x 3 beds – including 2 bungalows
 - 65 x 4 beds
 - 15 x 5 beds
- The proposal includes an amended affordable housing scheme of 8 units for discounted rent (4 x 3 bed houses and 4 x 2 bed houses), and 4 units for discounted sale (2 x 2 bed bungalows and 3 x 3 bed houses).
- 2.5 The density of the development, based on the gross site area, is indicated to be 25.78 dwellings per hectare.
- 2.6 Three areas of open space are proposed within the site; one greenspace with equipped play equipment positioned centrally to the site, one within the northwest corner of the site that includes a SUDS pond and a landscaped area to the western portion of the site close to the entrance. This pond would be battered down to a depth of 1.8m and would be fenced.

- 2.7 Materials proposed are predominantly brick, with some render and a limited amount of stonework.
- 2.8 A total of 297 in curtilage parking spaces are proposed, and 40 visitors' spaces the latter being a combination of layby and on street spaces.
- 2.9 The submitted Flood Risk Assessment indicates that surface water would connect to an existing watercourse at the northwest corner of the site at an attenuated rate. For foul drainage it is proposed to connect to off-site foul sewers along Harringdale Road, making a connection to the existing 225mm dia. foul sewer just prior to the junction with Scaw Road.

3.0 Amendments

- 3.1 Amended plans/supporting information has been provided during the consideration of the application, summarised as:
- Layout/relationship of some plots to streetscene and improvements to the public realm
 - Functional use of open space
 - Removal of three storey apartment block
 - Separation distances/levels/massing of plots to northern and eastern boundaries and off site existing housing
 - Extent of parking to frontages and impact on openness of the estate/spacing between units.
 - Accessibility of the equipped play space
 - Internal separation distances
 - Replacement of timber fencing to POS and pond with railings.

4.0 Site

- 4.1 The application site is comprised of a number of small fields separated by hedgerows and is currently used for grazing animals. The site extends to approx. 4.7 ha. Land levels across the site slope from the south east down to the north/north west. Level differences on the site are significant with the south-east corner reaching 81.30m above ordnance datum (AOD) and falling away to 66.50m at the watercourse in the north-west corner. Levels where the site access is proposed are approximately 74.95m. The site is somewhat elevated and provides views across Workington to the Solway to the north and approaches a crest to the south where levels plateau. It is situated to the east of Main Road (A597) and is located to the south of the built-up area of High Harrington.
- 4.2 Access is directly from Main Road (A597) opposite Whins Farm. The site frontage onto Main Road is currently formed by hedgerow. The southern boundary is formed in part by existing hedges and wire fence. The eastern boundary is formed by the rear boundaries of properties on Seadown Drive. The northern boundary comprises of properties on Beaufort Avenue and Harringdale Road. Similarly, the western side of the site is bounded by properties on Crooklands and properties accessed directly from Main Road. Existing hedges

and trees predominantly separate the fields from all of these properties except for small sections of fencing.

5.0 Relevant Planning History

- 5.1 2/2017/0246 – Full planning permission granted for 115 dwellings. Granted 17 July 2019. This permission remains extant.

6.0 Representations

Workington Town Council

- 6.1 Object on the grounds of increased traffic, limited local resources including schools, and continual loss of green spaces.

Cumbria County Council Highways Authority/Local /Lead Flood Authority

- 6.2 For highways, CCC comment that the present application proposes an additional 10 dwellings over the previous approved application, this will have an insignificant impact in highway terms and there are no additional highway asks in terms of conditions. The new pedestrian link between the development and Beaufort Avenue is a welcome addition to this application and we would suggest a condition is amended slightly to secure this. Conditions recommended relating to highway design and timing of construction, visibility splays, details and delivery of the emergency vehicle access, and an annual review of the effectiveness of the Travel Plan.
- 6.3 Require a contribution from the developer for ongoing monitoring of the travel plan, contribution of £6600.00.
- 6.4 For drainage, comment that the drainage plan is acceptable in principle and the additional measures proposed to treat water prior to discharge into the ordinary watercourse are welcomed. As previously agreed, the watercourse downstream of the site should be surveyed to attain its condition, particularly where it runs beneath Scaw Road. Raise no objection to the development subject to conditions for a detailed surface water drainage scheme, a surface water management plan during construction, and a condition and capacity survey of the culverted watercourse (or piped drainage system) downstream of the surface water discharge point.

Highways England

- 6.5 No objection.

Cumbria County Council Education Services

- 6.6 'This new proposal is estimated to yield 7 more pupils than that estimated for the extant permission (based on the originally proposed 125 houses).

6.7 Nearest Schools:

6.8 Primary Schools - The catchment primary school for this development is Beckstone Primary School which lies approximately 1.2 miles from the development site. Two further primary schools are located within the 2 mile statutory walking distance threshold of the site - St Mary's Catholic Primary School (1.2 miles) and Distington Primary School (1.9 miles).

6.9 Secondary Schools - The catchment primary school for this development is Workington Academy which lies approximately 2.9 miles from the site. The next nearest secondary schools are the Energy Coast University Technical College (UTC) (1.7 miles) and St. Joseph's Catholic High School (2.7 miles). It is noted that intake at the Energy Coast UTC is from the age of 14.

6.10 School Capacity:

6.11 Primary School Capacity - There is no space in the catchment school of Beckstone Primary to accommodate the yield of 33 primary age pupils from this development. However, both St Mary's Catholic Primary School and Distington Primary are within the statutory safe walking distance from the site and have sufficient capacity between them to accommodate the yield from this development. In light of this it is considered that no primary school capacity contribution is required.

6.12 Secondary School Capacity - Taking into account existing committed developments within the catchment of Workington Academy, it is considered that there would be insufficient places to accommodate the estimated yield of 23 secondary-age pupils from this development. However, two other schools catering for secondary-age pupils are present within the statutory walking distance threshold for secondary schools and have sufficient capacity to accommodate the secondary yield from this development. Therefore, no contribution toward secondary education contribution is required.

6.13 Routes to School - There are no route safety issues between the site and the schools within the relevant prescribed statutory walking distances. Consequently, no school transport contribution is required'.

Access Officer

6.14 No comments received.

ABC Housing Services

6.15 Require 20% provision and tenure split in accordance with policy SA3. Provide advice on need based on 2015 Study and Choice Based Lettings data. Note the offer of only 5% provision and request an external peer review of the viability assessment submitted. Following notification of the peer review and revised offer, no further comments have been received to date.

County Archaeologist

6.17 No objections or comments.

6.18 *Officer's note that the applicant has previously commissioned an archaeological desk-based assessment and geophysical survey of this site. The results indicated that there is a low potential for archaeological assets to be disturbed by the construction of the proposed development.

Natural England

6.19 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Standing advice provided. Advise that the biodiversity net gain metric is used to assess whether the proposed enhancements offer a 10% biodiversity net gain. This will indicate the habitat replacement that will be necessary, but not species provision. Therefore, species provision in terms of bat boxes and bird boxes and wildlife friendly planting for pollinators should also be incorporated into the design.

Environment Agency

6.20 No comments, not consulted on original scheme.

Environmental Health

6.21 No objection, confirm that contamination risks are satisfactorily addressed. Recommend conditions relating to noise mitigation and construction management.

Cumbria Constabulary

6.22 No comments received.

Fire Service

6.23 No objections.

Electricity North West

6.24 No comments received.

ENW has previously advised that development of this site could impact on ENW apparatus. Confirm that there is an 11kV cable on the north side of the proposed development area. There is an overhead LV circuit on the southwest side of the proposed development area. Any structures and/or easements will need to be protected or diverted at the applicant's extent.

United Utilities

- 6.25 No objection, subject to surface water discharging into watercourse. Recommend conditions to secure drainage for the development in accordance with the submitted drainage drawings.

Northern Gas Networks

- 6.26 No objections. Plan provided for apparatus in the area, which is all off site within the surrounding road network.

Cumbria Wildlife Trust

- 6.27 No comments received.
- 6.28 The application has been advertised by press advert, site notice and neighbour letter, including re-advertisement of amended plans.
- 6.29 36 letters of representation have been received to date following the original advertisement of the application and re-consultation, raising objection to the proposal. The representations are summarised as follows:
1. The main roads through Harrington and Salterbeck cannot cope with this additional traffic.
 2. The proposal will add danger and further congestion to Church Road, which has the church, school and shops.
 3. The roads cannot support the traffic.
 4. Schools cannot support the children.
 5. Hedgerows are important for a number of wildlife species.
 6. Harrington has already had too much house building.
 7. The main sewer often becomes full and overflows down the Main Road. Video of the overflow outside the Brewery House.
 8. Wastewater culverts that run through private land already over loaded with surface water.
 9. This scheme introduces 3 story semi detached 4 bedroom house right behind property on Seadown Drive. The width of these joined properties are the same width as garden meaning that both these houses are going to look directly into my garden giving me absolutely ZERO privacy as they will tower over my garden and house. Also they will steal the light from my garden and property.
 10. Bypass and additional school infrastructure required before this goes ahead.
 11. The council refuses to put any safety measures in place to ensure children can cross safely to the school, despite having had the money from previous developments (and the s106 money that has disappeared for extension of the school).
 12. Access appears to be on a blind brow
 13. Roads flood and drains cannot cope.
 14. Noise pollution and stress during construction.
 15. Ruin countryside.
 16. This housing will alter village in a negative way.

17. If this reservoir bursts its banks, the water is going to come down the stream which flows right through private neighbouring property which has flooded twice in 7 years from excessive water from these fields behind Scaw road. The debris that flows down this stream blocks the culvert, which then floods private property. To put this reservoir where it is makes neighbouring property even more unsafe. The stream cannot cope with any more excess water. Require a better solution. If this goes ahead then legal action will be taken against the liable.
18. Loss of view.
19. Impact on house values.
20. Development will impact on mental health.
21. Impact on light/overshadowing, will create claustrophobia.
22. Unfair that plans were not available on the website during the consultation. Extension of consult period not relayed to everyone.
23. Plots 40, 41, 42 & 43 are 4 bedroom houses these back onto 4 bungalows on Seadown Drive all of which have their living room on the back. Impact on those dwellings views and privacy.
24. Query as to why netting has been put up when permission not yet granted.
25. Overlooking, including between existing and proposed private gardens.
26. Increased noise and vehicle pollution.
27. Already congested with the construction of the new college and Burger King/Starbucks and The Meadows development.
28. The nearest school with capacity will be Distington, a very long and unsafe walk on a wet day, 1.5 miles. This necessitates the crossing of one major junction, Westlakes College, one major road near Myers and Bowman, and two B Roads in Distington itself.
29. Why can developers not build bungalows behind existing bungalows?

7.0 Environmental Impact Assessment

- 7.1 With regards to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the development does not fall 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 (Part 1)

9.1 The following policies are considered to apply:-

Policy S1 - Presumption in favour of sustainable development
Policy S2 – Sustainable Development Principles
Policy S3 - Spatial Strategy and Growth
Policy S4 - Design principles
Policy S5 – Development Principles
Policy S6 – Area Based
Policy S7 - A mixed and balanced housing market
Policy S21 – Developer contributions
Policy S22 - Transport principles
Policy S24 – Green Infrastructure
Policy S25 – Sports, Leisure and Open Space
Policy S29 - Flood Risk and Surface Water Drainage
Policy S30 – Reuse of Land
Policy S32 - Safeguarding amenity
Policy S33 - Landscape
Policy S35 – Protecting and Enhancing Biodiversity and Geodiversity
Policy S36 – Air, Water and Soil Quality
Policy DM12 – Sustainable Construction
Policy DM14 - Standards of Good Design
Policy DM16 – Sequential Test for Previously Developed Land
Policy DM17 – Trees, Hedgerow and Woodland

<https://www.allerdale.gov.uk/en/planning-building-control/planning-policy/local-plan-part-1/>

Allerdale Local Plan (Part 2)

9.2 The site falls within the defined settlement limit for Workington, which includes High Harrington. The site is an identified housing allocation.

Policy SA1 Identified Sites
Policy SA2 Settlement Boundaries
Policy SA3 Affordable Housing
Policy SA5 Housing Standards
Policy SA6 Housing Delivery
Policy SA9 Main Road, Harrington, Workington
Policy SA33 Broadband

<https://www.allerdale.gov.uk/en/siteallocations/>

10.0 Other material considerations

National Planning Policy Framework (July 2021)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Allerdale Council Strategy 2020 – 2030

- Ensure there are suitable, affordable, decent homes for all.

The details of this document can be viewed here:

<https://www.allerdale.gov.uk/en/about-council/council-strategy-2020-2030/>

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 Allerdale Borough Local Plan (Part 1) 2014 and Part 2 (2020) have primacy.

12.0 Assessment

Principle of Development

- 12.1 (a) Location
- 12.2 High Harrington, along with Harrington, Seaton and Stainburn fall within the defined settlement of Workington, which is the Principal Service Centre within the Allerdale Local Plan Part 1 (ALPP1) and to which 35% of overall housing growth is directed by the ALPP1, amounting to 106 dwellings per year over the Plan period.
- 12.3 Policy S5 states that new development will be concentrated within the physical limits of the Principal Service Centre. The proposed development site lies within the settlement limit for Workington, as adopted within the Allerdale Local Plan Part 2. The site is also allocated specifically for housing purposes within Part 2 (Policy SA9).
- 12.4 (b) Scale of development
- 12.5 Policy S5 of the ALPP1 requires that the scale of development proposed be commensurate to the size of the settlement and reflect its position in the hierarchy. The application site is relatively large in scale, but it does fall within the Principal Service Centre for the Borough. The site does not extend beyond the area allocated for housing by Part 2 and the density of the development falls within the parameters set by the allocation policy SA9. As such the scale of the development is considered to be acceptable.
- 12.6 Concerns of residents are noted relating to the scale of the proposal in relation to High Harrington itself, having regard to recently constructed and ongoing development of housing at Whins Farm (Storey Homes) and The Meadows (Thomas Armstrong) and the level of services and amenities unique to High Harrington itself. However, as an integral part of the Principal Centre, which benefits from a range of services and amenities, the scale of the proposal

accords with the settlement hierarchy of the ALPP1 and the allocation within the ALPP2. Whilst the site is not previously developed land, the majority of allocations proposed within Part 2 are greenfield sites, acknowledging that there is insufficient previously developed land to meet the identified need.

- 12.7 To conclude, the scale of the development is considered to be appropriate for the Principal Service Centre and 123 dwellings equates to a density of 25.78 dwellings per hectare, which accords with parameters set down in policy SA9 of the ALPP2 and is consistent with the density of development to the north and east.
- 12.8 (c) Housing supply
- 12.9 Policy S3 of the ALPP1 identifies that Workington as the Principal Service Centre, will provide 35% of the housing growth over the Plan period, equating to 1915 dwellings up to 2029. The provision of an additional 123 dwellings would contribute to and not exceed the requirement to be provided by the Principal Service Centre and as an allocation with Part 2, would not adversely impact on the housing balance.
- 12.10 (d) Conclusion on the principle of development
- 12.11 The principle of residential development at this location is considered to be acceptable, complying with Parts 1 and 2 of the Allerdale Local Plan as a housing allocation. A further material consideration is the extant planning permission for 115 dwellings at this location, demonstrating that the principle of housing at this location has already been accepted under the current Plan.
- 12.13 Officers conclude that the proposed development is acceptable in principle.

13.0 Benefits of the proposal

- 13.1 The provision of 123 additional dwellings at High Harrington would provide for additional housing at a scale that the ALPP2 considers reasonable for Workington as the Principal Service Centre. The proposal would contribute particularly to one of the key objectives of the NPPF to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Similarly, the proposal would contribute to strategic objective SO2c of the ALPP2, which seeks to ensure a deliverable supply of housing land that meets the needs of the community and local economy, as well as the Council Plan in terms of supporting the development of new homes where they are needed.
- 13.2 The proposal would provide additional affordable housing as set out below in more detail, increasing access to affordable housing in the Borough, in accordance with strategic objective SO2d of the ALPP1 and the Council Plan's priority of tackling inequality through the provision of more affordable housing, albeit not delivering a policy compliant quota of affordable houses on viability grounds.

13.3 The provision of additional housing would have economic benefits arising from further investment in the construction industry and the associated retention of jobs directly and indirectly within the supply chain.

14.0 Sustainability, Access and Parking

14.1 (a) Sustainability:

14.2 Policies S2 and S22 of the ALP (Part 1) seek to ensure that new development is located in areas that help to reduce journey times, have safe and convenient access to public transport, improve travel choice and reduce the need to travel by private motor vehicles. These policies accord with Paragraph 110 of the NPPF which seek to ensure sustainable transport modes are maximised and development is safe and accessible. Policy S5 requires that new development includes acceptable arrangements for car parking and access.

14.3 The Institution of Highways and Transportation (IHT) document 'Providing for Journeys on Foot' (2000) considers acceptable walking distances for planning and evaluation purposes and indicates that for commuting/school a distance of 500m is desirable, 1000m is acceptable and 2000m is the preferred maximum. For other journeys (such as shops), 400m is desirable, 800m is acceptable and 1200m is the preferred maximum.

14.4 As stated above, High Harrington falls within the Principal Service Centre of Workington, to which large scale development is directed. As part of the largest town in the Borough, the site is considered to have reasonable access to the widest range of services and amenities.

14.5 However, the site does lie to the edge of this settlement, and the respective distances to schools and employment opportunities are noted as follows:

Lakes College – 1km

Beckstones School/Shops and Services of Church Road, Harrington – 1.4km

Distington School – 2.2km

Lillyhall – approx. 2.0km

Stainburn Academy – 5km

14.6 As such, it is considered that there are some services, amenities and education/employment opportunities within the preferred maximum walking distances, whilst other facilities, supermarkets and employment opportunities lie beyond this.

14.7 At present, a lit footpath extends from the site northwards into High Harrington to both the western and eastern sides of the A597. The lit footpath to the east also extends south to the roundabout with the A595.

14.8 The site is on regular bus routes (30) and the nearest bus stop is at The Crooklands entrance (approx. 200m). These regular services, connect to Carlisle, Maryport, Workington and Whitehaven. Harrington railway station is

located 2km from the site, albeit at a much lower than the site and not offering a convenient alternative mode of transport.

14.9 For cyclists, National Cycle Route 72 (Cumbrian Coast and Hadrian's Cycleway) is in close proximity to the site (800m) and provides links to both Workington and Whitehaven.

14.10 The site is therefore considered to have good access to a regular bus routes and can connect to a national cycle route. Lit pedestrian footpaths exist to the north and south of the site, albeit some walkers may be discouraged by distance and the busy A597 and concerns of residents are noted that this main road can be difficult to cross. Overall, the site is considered to be sustainable, given the level of access for pedestrians, cyclists and the proximity of regular bus routes.

14.11 The application has been supported by a Residential Travel Plan to encourage sustainable travel patterns to be both established from the outset and maintained over time. The Travel Plan provides the following measures:

- Provision of a Travel Plan co-ordinator
- Resident Engagement Strategy: Promotion of travel options, Provision of a bespoke travel information website, Provision of a travel information guide, Personal Journey Planner from the TP Co-ordinator, Preparation of an annual travel newsletter for residents.
- Walking Strategy: Promote and encourage walking through the distribution or displaying of promotional material, Provide appropriate internal and external linkages for pedestrians.
- Public Transport/Cycle Strategy: Promote and encourage cycling by distributing or displaying promotional material.
- Sustainable Car Use Strategy: Promote Car Sharing, Promote Eco-Driving, Promote Electric Car Charging Points.

14.12 Having regard to the relevant policies of the Plan and the NPPF, it is considered that the proposal is accessible by modes other than the car and that measures would be provided to reduce the reliance on the private car by future residents. The County Council seek a Travel Plan monitoring contribution which is standard and can be secured through a legal agreement.

14.13 (b) Access provision/Impact on the highway network:

A single access point is proposed off the A597 to serve the proposal, with a second access proposed for Emergency Vehicle Access only, also positioned off the A597, to the south. The main access would be a simple T-junction designed and lies within the existing 30mph speed limit. Footpaths are proposed to be designed to tie into the existing provision on Main Road to the north and south of the site frontage. The proposed access is situated c.50m south of the constructed residential access on the west side of Main Road at Whins Close. The submitted drawings indicate visibility splays of 43m each way, albeit the response from the Highways Authority requires splays of 58 and 54m and this is put forward as a condition. Long sections were provided as part of the previous

application to demonstrate that the crest of the hill going south would not impede visibility.

- 14.14 The original application made in 2017 was supported by a Transport Assessment (TA) and Stage 1 Road Safety Audit. Further information was then subsequently provided at the request of the Local Highways Authority. The current submission is supported by correspondence from i-Transport LLP, which considers the highway related implications of an additional 10 dwellings over and above the 115 dwellings already granted planning permission (now 7 dwellings as amended). The correspondence concludes that the increase in units would not affect the findings of the previous Transport Assessment in terms of the junction requirements at the site entrance and the capacity of the surrounding network and that further assessment is not required.
- 14.15 The previous scheme was subject to considerable analysis in terms of its impact on the existing highway network in isolation and cumulatively with a number of over larger scale developments being brought forward. The Local Highways Authority has raised no objection to the current proposal in terms of its impact on the capacity of the road network, over and above the development already approved. A condition to secure a minimum visibility splay is sought, along with other conditions relating to construction standards. Similarly, Highways England has raised no objection to the proposal in relation to the operation of the A595 trunk road.
- 14.16 Based on the advice of these consultees, it is not considered that the proposal would have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe. As such, having regard to Paragraph 111 of the NPPF, highways grounds are not considered to be a reason for refusal in this case.
- 14.17 (c) Parking:
- 14.18 CCC's Design Guide requires a maximum of 312 spaces for the housing mix proposed and 25 visitor spaces. The revised scheme proposes 297 in curtilage parking spaces and 40 visitor spaces from a combination of layby's and on street parking. An additional 13 spaces are proposed for garaging. As such, the parking requirements of the County Council's Design Guide are met.
- 14.19 To conclude on this topic, the proposal is considered to be acceptable in relation to policy S22 of the ALP and advice contained within the NPPF.

15.0 Flooding and Drainage

- 15.1 Policy S29 of the ALPP1 directs development away from areas at risk from flooding, and seeks to ensure flood risk is not increased elsewhere, requiring full consideration of the surface water drainage hierarchy.
- 15.2 The proposal site lies within Flood Zone 1, which is land at the lowest probability to flooding.

- 15.3 The application has been accompanied by an updated Flood Risk Assessment and Drainage Strategy. The submitted information confirms that, at the pre-application stage, the LLFA requested surface water be restricted to 5 litres/sec/ha to reflect current greenfield run-off rates. This equates to 23.8 l/s and flows from the development are proposed to be restricted to this rate.
- 15.4 It is submitted that infiltration will not be suitable on the site following some initial tests. A connection to the ordinary watercourse in the north-west corner of the site is possible and a Sketch Drainage Layout has been provided to demonstrate the proposed details of the scheme.
- 15.5 Attenuation will be included in the system in the form of a basin that will also provide treatment prior to discharge to the ordinary watercourse. Flow controls are proposed to limit the outfall at the basin outlet. The hydraulic calculations included indicate the flows from the development can be restricted to 23.8 l/s in all events up to the 100 year (including 40% climate change allowance).
- 15.6 The proposed pond structure will be 1.8m maximum depth, battered to 1 in 3, with vegetation to the perimeter. The submission indicates that the pond structure will hold a small amount of water at all times, with levels fluctuating depending on rainfall. The submission confirms that the pond is in accordance with C753 SUDS manual. The submitted report suggests that a survey of the condition of the existing watercourse will be necessary before finalising details.
- 15.7 The proposal indicates that foul drainage will connect to the main sewer and United Utilities has raised no objection to this. Off-site foul sewers are proposed along Harringdale Road to make a connection to the existing 225mm dia. foul sewer just prior to the junction with Scaw Road. The foul connection will involve crossing third party land and an easement will be required; if such an easement cannot be negotiated the sewer may have to be installed via a Sewer Requisition.
- 15.8 United Utilities and the Lead Local Flood Authority have raised no objections to this aspect of the proposal subject to appropriate conditions to secure details of surface water drainage and its management/maintenance.
- 15.9 In providing for attenuation of a 1 in 100 year event plus allowance for climate change, the proposal is considered to take an appropriate and reasonable approach to addressing flood risk and no concerns/objections have been raised by the Local Lead Flood Authority. As such, the proposal is considered to be acceptable in relation to policy S29 of the ALPP1, subject to conditions to secure a surface water drainage system that achieves the specification outlined above, as well as conditions to secure its management and maintenance. A further condition is included to survey the receiving watercourse. Whilst the concerns of residents are noted relating to off site flooding issues, the advice of the technical drainage bodies is that the development is acceptable.

16.0 Landscape and Visual Effects

- 16.1 Policy S33 of the ALPP1 seeks to protect, conserve and enhance the landscape character and local distinctiveness of the Plan Area and supports the NPPF aim to recognise the intrinsic character and beauty of the countryside (paragraph 174). Policies S4 and DM14 of the ALPP1, seek to ensure amongst other things that new development responds positively to the character and distinctiveness of the location and integrates effectively and policy S24 seeks to ensure that regard is had to how the development retains green infrastructure.
- 16.2 The applicant has provided an updated Landscape and Visual Assessment of the site.
- 16.3 The site is not located within any nationally important landscape designations. The LVA confirms that the site lies in the West Cumbria Coastal Plain at the national level and within the landscape character type '5d - Urban Fringe', as defined in the document '*Cumbria Landscape Character Guidance and Toolkit*'. Urban Fringe' is described as areas which have experienced long term urban influences on agricultural land, with large scale buildings and industrial estates being common, and valleys, restored woodland and semi-urbanised woodland providing interest. The Toolkit indicates that intact field patterns of farmland reinforced by hedges and hedgerow trees are sensitive to changes in land management and settlement expansion. Open green spaces and fields close to settlement edges are sensitive to unsympathetic development. In terms of development, the Toolkit states:
- The tendencies for urban development to further encroach on the countryside and for agriculture to suffer from vandalism and pressures for access.
 - Housing development on sensitive ridges can often lack the soft landscaping needed to help integrate it into the wider landscape.
 - Expansion of villages can lead to a lack of identity and poor definition between town and country.
 - Green infrastructure provides an opportunity to seek enhancements to the landscape, biodiversity and cultural heritages adjacent to urban areas and to create green corridors between settlements.
- 16.4 The site does not adjoin any public right of way, the nearest being on the opposite site of the A597 adjacent to Whins Close. Views of the proposal will be visible from this footpath, as well as for pedestrians and drivers passing the site along Main Road and Charity Lane, and from resident's private gardens and the residential streets immediately surrounding the site to the north and west.
- 16.5 The application site is presently part of a network of fields comprising the open countryside that surrounds High Harrington. As it lies immediately adjacent to modern housing development to three boundaries and the A597, its urban fringe characteristics are notable. This urban fringe quality is emphasised by the presence of industrial and educational facilities further south at Lakes College and Lillyhall. Whilst the Landscape Character Toolkit notes the risk of development further eroding the countryside, which this development would do to its physical extent, it would do so in a relatively contained manner. The proposed boundary treatment would provide a definitive line to the edge of the built form to the south and an adequate physical separation of open land would remain

between the village and the industrial/educational facilities to the south at Lillyhall. As such, it is not considered that the proposal would result in sprawl.

- 16.6 Whilst there would be an obvious change in the landscape character of the site itself, this impact would be localised within an area that is not highly sensitive to change. As such, the broader landscape character impacts of the proposal are not considered to be significant, noting that the site is allocated for housing and has an extant permission for housing on a not dissimilar scale.
- 16.7 Land levels across the site slope upwards from the north west corner to the south east, (approx. 66.5 – 80.6m AOD). Beyond the southern boundary, levels fall and plateau to a degree before rising further south. As a result, when travelling south along Main Road, the proposal would be viewed as continuing housing development through High Harrington as the road rises up to the south. When travelling from the south, the southern line of housing proposed will be visible over the crest of the hill, where housing to the east of the A597 is not particularly visible at present. This will be similar to the visibility of the farmhouse and farm buildings at Whins Farm on the opposite side of the road, but extending to the east.
- 16.8 It is considered that this will be the most notable visual change resulting from the development from the surrounding area, experienced by pedestrians and drivers on the A597. This change is likely to be more noticeable as a result of the current scheme, because the density of the proposed housing to the southern boundary is increasing, so that there is a reduction to a degree in openness through the built form, along with an increase in finished floor levels and resulting increase in overall height of these units.
- 16.9 Whilst this change will be notable and will bring the urban edge of High Harrington onto the crest of the hill, it is not considered that the resulting visual impact would be significant on the basis that the visual qualities of the immediate locality are not high, hedgerows and intervening trees along the A597 will partially restrict and soften views and where more open views are available, the development will sit within a relatively wide ranging open aspect, taking up only a portion of the view at a relatively low lying scale. Visual receptors will have a more obvious awareness of entering an urban environment, when approaching from the south, due to the presence of the housing stretching east from the A597.
- 16.10 Having regard to the submitted LVA and the relevant policies of the Plan, whilst the impacts will be somewhat greater over and above the approved scheme, the landscape and visual impacts of the development are not considered to be significant.
- 16.11 The visual impacts of the proposal on residential receptors, will be considered separately below.

17.0 Design/Appearance

- 17.1 Policies S4 and DM14 of the ALPP1 seek to ensure a high quality of design in new development and incorporate criteria addressing a number of design issues,

including responding positively to the character and distinctiveness of an area, integration, connectivity, appropriate scale, and so on. The NPPF has been updated in July 2021 and requires that the design of streets, parking areas, other transport elements reflects current national guidance, including the National Design Guide and the National Model Design Code. Further paragraph 126 of the NPPF states that, 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve'. Paragraph 134 states that, 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design'. The NPPF now requires Councils to produce local design guidance, but as this requirement has only just been introduced, no local design guidance is available at present. Finally, newly introduced paragraph 131 states, 'Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible'.

- 17.2 The proposal provides for a relatively typical housing estate layout, the approach being dictated to some extent by the singular access point from Main Road and level changes across the site. The layout generally follows a looped road that extends from and returns to the one access point. The proposal provides for a mix of standard house types and sizes, generally with in-curtilage parking to the front or side, some integral garaging, front or side driveways and private rear gardens. One area utilises a rear courtyard for parking. The proposal provides for two main areas of Public Open Space, one centrally positioned providing an equipped area of play and one to the western portion of the site, near the site entrance, as well as the area of the sustainable urban drainage pond. The proposal incorporates new tree planting through the proposed estate and additional hedging to the southern boundary where the development adjoins the open countryside.
- 17.3 New housing plots to Main Road will present positively onto this existing highway and on entering the site, the Public Open Space (POS) to the western side of the highway will form an attractive area. The plans indicate some low level toddler climbing equipment (low level climbing logs/stepping stones) and possibly a seat, the details of which can be secured by condition. Amendments to the scheme have been secured to ensure that internally, housing presents positively onto the highway (rather than blank gables), as well as a reduction in frontage parking that had the potential to dominate the street scene. Due to the increased density, there is still a reliance on frontage parking but this is now considered to be to an acceptable level, particularly as the plans indicate frontage tree planting to most plots, which will help to break up such car dominance as trees mature. The density and a change in house types (that generally introduces a more consistent and uniform roof design than previously approved house types) is also likely to reduce openness within the site/between the housing, however, amendments have been made in this area also, and comparison street elevations provided and the amended details now provided are considered to be acceptable.

- 17.4 The second POS is located centrally to the site and amendments have secured better permeability within the estate to this area. Nearby housing faces directly onto this area which is positive in terms of urban design and for reducing anti-social behaviour.
- 17.5 Internally to the site, the proposal is considered to provide for a good standard of housing environment overall for future residents, providing adequate separation distances, external amenity space, in curtilage parking and public open space for future residents. There are some plots where rear elevations facing side gables of other plots fall to around 10m, but the applicant is satisfied that these plots will remain attractive. Should members be minded to approve the proposal, a condition is recommended relating to the approval of groundworks/retaining structures to internal boundaries, to ensure that the standard of housing environment for future residents is not adversely impacted by overly high retaining and boundary walls where there are notable level changes.
- 17.6 In design terms, the proposal is considered to respond appropriately to the character of High Harrington, which has some limited older development to its main through routes, but which has been extended by large scale housing estates dating back to the 1970's. Materials are predominantly brick, with some use of render to gables and key plots. Again, given the locality, this is considered to be acceptable.
- 17.7 There is limited permeability through the site to existing housing to the north and east, but attempts have been made to improve permeability over and above the approved scheme, by indicating a pedestrian only link to Beaufort Avenue to the north. However, it is understood that this link beyond the site will be reliant on land not within the applicant's control and not part of the adopted highway and so its delivery cannot be guaranteed. Similar to the possible links provided from Phase 2 of Strawberry Grange, Cockermouth, through to the Slate Fell Estate, the Council can condition that the footpath is laid up to the site boundary, unrestricted by fencing within the site, to allow for this possibility, but it cannot insist on the delivery of the link given that it involves some land beyond the site, not within the applicant's control.
- 17.8 However, the scheme is not dependent on such a route, because connections to the north and east would not necessarily improve the connectivity of the site to existing services and amenities (which are mainly accessed along Main Road). As such, the lack of permeability in this instance does not raise any significant concerns.
- 17.9 A noise report has been provided on the basis that future residents could potentially be impacted by existing noise, principally that arising from motorists on the A597. The report recommends mitigation measures, principally relating to acoustic fencing to plots within 180m of the main road. A condition requiring these measures to be incorporated into the scheme is recommended.
- 17.10 Policy SA5 requires that for developments of 10 units or more, 20% of the dwellings must be designed and constructed to meet the requirements set out in

optional Building Requirement M4(2) (or any national equivalent standard should these regulations be subsequently reviewed). All residential developments over 30 units must ensure that 5% of the total units (across both market and affordable dwellings) should be designed and constructed to meet optional Building Requirement M4(3) ensuring that the dwellings are wheelchair adaptable. The proposal is policy compliant in this respect.

- 17.10 As such, the proposal is considered to have sufficient regard to its context and provide a good quality of housing environment for future residents in accordance with policies S4 and DM14 and advice contained within the NPPF.

18.0 Residential Amenity

- 18.1 A number of policies of the ALPP1 and principally Policy S32 seek to protect the amenity of existing residents to an acceptable standard.
- 18.2 The proposal has the potential to impact principally on those residential properties to the western, northern and eastern boundaries of the site.
- 18.3 To the eastern boundary of the site lies Seadown Drive, properties bordering the site are both single and two storey, some with rear additions that vary in size and scale. Resident correspondence indicates that these rear rooms and associated windows and doors serve the main habitable living areas for these houses.
- 18.4 Along the eastern boundary, the amended scheme proposes two storey units, mainly detached, but with two pairs of semi's. Main back to back distances between existing and proposed housing would be a minimum of 20.2m (plot 39 – 42 Seadown Drive), increasing up to approx. 26m, with the finished floor levels of the proposed housing following the contour of the land, as do the existing houses. The existing boundary hedge would be retained. Amendments to the scheme have removed units from this boundary that included a third floor and increased separation distances from a minimum of 18m back to back. The minimum separation distance for the amended scheme is slightly less than the previously approved scheme, where separation distances ranged from 21.5 to 28m along this boundary.
- 18.5 Sections F, G and H relate to this boundary and indicate that existing properties on Seadown Drive will be at a higher finished floor level than the proposed housing. Whilst Officers note the request that existing bungalows at the top of Seadown Drive should be faced with bungalows within the development, officers consider that given the land levels are somewhat lower on site, the proposed separation distances are acceptable, noting that 21m as a main to main distance is used as a general rule of thumb. The existing hedgerow and boundary treatment would ensure no significant level of overlooking at ground floor level and whilst there is the potential for these existing dwellings to be overlooked to a degree from first floor bedroom windows, this is not an uncommon situation and at the separation distances proposed, the level of overlooking is not considered to be significant.

- 18.6 The sectional drawings and proposed street scenes have been used in conjunction with the separation distances to assess the impact on outlook and over-dominance and overshadowing/loss of light. Clearly there will be a change for residents in terms of their outlook as an open view across fields will be replaced by housing. However, loss of a private view is not the material test, it is whether the impact on outlook is so dominating and overbearing or overshadows to such a degree that it is deemed to be 'significant'.
- 18.7 As indicated above, the separation distances are generally considered to be acceptable and the levels on site are somewhat lower than on Seadown Drive. The plots along the eastern boundary are close together, usually with only a 2.0m side to side separation distance, increasing to 4.5 at plots 38 and 40 where side garages have been introduced through amendment. Further amendment has been the introduction of a hip to the roof of the Milford House type. These small changes have either reduced the massing of the units or created an improved separation to some plots to allow views through. The comparison street scene drawings demonstrate that the physical massing and height of these units to the eastern boundary will not be significantly greater than the previously approved scheme. Given the separation distances achieved and that the height and massing is not significantly greater than the approved scheme, this relationship to offsite properties to the east is considered to be acceptable. There will be an impact on amenity, including outlook, privacy and light, but these are not considered to be significant impacts sufficient to warrant refusal.
- 18.8 To the northern boundary of the site lie properties on Beaufort Avenue and Harringdale Road. Land levels generally fall to the north and so the housing on the application site will be positioned at a higher level.
- 18.9 In relation to 1, 3, 5, 7, 9, 11 and 24 Beaufort Avenue, main back to back distances will be approx. 32m and main to side distances will be at least 20m. Existing boundary hedging and trees would be retained at this point. Two storey units are proposed along this section of the northern boundary, with no third floor in the roof (following amendment). As such, the separation distances proposed are considered to be sufficient to ensure these neighbouring properties are not significantly adversely affected by way of overlooking, overshadowing or overdominance, the additional separation distance is considered sufficient to address the higher level of the proposed housing, illustrated by Section E.
- 18.10 In relation to 23, 25, 27, 29, 31, 33, 35, 37, 39 and 100 Harringdale Road, there will continue to be a level difference, up to approx.. 2.0m higher on the application site. Main back to back separation distances will be a minimum of 25.5m, which is a reduction on the approved scheme, which achieved 27m main to main separation. Main to side distances will be at least 19m. However, it is noted that the proposal has reduced finished floor levels over and above the approved scheme by between 0.5 and 0.9m in this area. A mature hedge and some trees will be retained to this boundary, with the exception of no.33 Harringdale Road which has an open boundary with only a mesh fence.

- 18.11 Having assessed the section drawings and level changes, the separation distances to off site properties, and the separation distances between the proposed dwellings within the development in terms of density/massing, along with the existing boundary treatment, trees and hedgerow, the layout as proposed in relation to these existing northern boundary properties is considered to be generally acceptable. Similarly to properties on Seadown Drive, there will be a marked change in outlook for these residents, and in this case, the scale and massing of the proposed two storey houses will be emphasised by the rising land levels. However, as separation distances range between 25 – 29m, and noting the boundary treatment to the site, the impact is not considered to be significantly harmful to amenity.
- 18.12 The exception is the relationship of plot 15 and 33 Harringdale Road. Whilst a back to back separation distance of 25.8m is achieved, the plans indicate a level patio to the rear of this plot which is only 6-7m from the shared boundary. Without any meaningful established planting to this shared boundary, the proposal has the potential to result in overlooking towards the rear elevation of 33 Harringdale Road and its private garden.
- 18.13 A 1.8m fence is proposed to this boundary, but there are concerns that views would be possible over this fence, given the level change. Similarly to the previously approved scheme, it is considered appropriate to secure by condition that, notwithstanding the submitted plans, details of the contouring of this garden and details of any patio/terrace be submitted to ensure it is reduced in a manner that would not result in significant overlooking to no.33, and that additional planting be provided to this boundary to improve the effectiveness of screening.
- 18.14 To the western boundary, the site adjoins properties on Crooklands and Main Road. There are marked level changes towards the southern section of the site towards this boundary (with the application site at a higher level, but these level changes gradually tail off and are less noticeable towards the northern section/boundary of the site). Due to the juxtaposition of existing properties on Crooklands with the proposed plots on the site, the less notable level change and the separation distances proposed, the proposed development is not considered to have a significant adverse impact on the residential amenity of these properties.
- 18.15 The rear of 143a main Road lies very close to the boundary with the site. The re-positioning of open space to the area at the rear of 143a along with a bungalow on the closest plot, is considered sufficient to ensure that this proposal is not adversely affected.
- 18.16 Further to the amended plans provided and subject to the condition suggested relating to plot 15, it is considered that the impacts on the residential amenity of neighbouring properties will not be significant and will not be significantly different from the previously approved scheme and therefore in this respect, the proposal is acceptable in relation to policy S32 of the ALPP1.

19.0 Biodiversity

- 19.1 Policy S35 of the ALPP1 seeks to maintain and improve conditions for biodiversity and the protection of sites and species according to their level of importance.
- 19.2 The application has been supported by an Extended Phase 1 Habitat Survey and additional surveys for bats and red squirrels. Paragraph 174 of the NPPF requires that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, minimising impacts on and providing net gains for biodiversity.
- 19.3 The site mainly consists of grazing land intersected by hedgerow. The submitted ecological appraisal indicates the primary interest in the habitat on site relates to bats, red squirrels and birds, with some potential for use by badgers also. It states that whilst bats are foraging across the site, no bat roosting potential within the site was recorded, other than in one tree, T14, which is to be retained. Similarly for red squirrels, whilst there are a number of records of red squirrels within the locality, no dreys were detected on site. The report therefore concludes with a number of mitigation measures, including pre-construction commencement checks on site for badgers, hedgehogs and red squirrels, removal of hedgerow and grassland outside of the bird breeding season (or checking onsite by a qualified ecologist no more than 48 hours before commencing), bat sensitive lighting.
- 19.4 Subject to a suitably worded condition to secure these proposed mitigation measures, it is considered that the proposal would not have any significant adverse effects on ecological interests.
- 19.5 Policy DM17 of the Allerdale Local Plan seeks to protect trees and hedgerows where they are important to a community, have a positive impact on the character of the area or have nature conservation value. Proposals that involve felling/removal, will be resisted unless acceptable mitigation or compensation measures can be secured. The revised NPPF requires planning decisions that minimise impacts and provide net gains for biodiversity.
- 19.6 The application has been supported by an Arboricultural Report and Impact Assessment, and an Arboricultural Method Statement and an Ecological Appraisal Report and addendum, which contains a Hedgerow Assessment.
- 19.7 The information provided indicates no hedgerow removal to the boundaries of the site with the exception of the site frontage where the new access is proposed and visibility splays are required, triggering the removal of the existing hedge. Tree removal is largely required where trees fall within the hedgerows to be removed, which transect the site.
- 19.8 The Arboricultural Impact Assessment confirms the removal of four individual trees, three groups of trees (totalling nine trees), three whole hedgerows and sections of three further hedgerows. Of the trees/hedgerows for removal, Tree T2, Tree group G30 and hedgerow H1 are deemed to be Category B, Moderate Quality, the remainder are Class C or U. No Category A trees would be impacted.

- 19.9 The Ecology Appraisal confirms that the proposed development will result in the loss of approximately 450 metres of hedgerow. The report confirms that the four affected hedgerows are not classified as 'Important Hedges' under the Hedgerow Regulations 1997 with respect to wildlife and the landscape (it is noted that an assessment of historic or archaeological evidence has not been made). To provide compensation for the loss of trees/hedgerow identified, the report goes on to confirm that the proposed soft landscaping plan will provide 585m of replacement native hedgerow, mainly to the southern boundary of the site, and will include the planting of 91 trees throughout the new estate. The introduction of the SUDS pond will provide a further element of biodiversity enhancement.
- 19.10 Whilst the proposal has not been assessed using the biodiversity metric, the proposal delivers a greater level of compensatory hedgerow and tree planting than the previously approved scheme and is considered to be acceptable.
- 19.11 Having regard to the level of compensation proposed in terms of landscaping, the proposal is considered to be acceptable in relation to policies DM14 and DM17 of the ALPP1.

20.0 Housing Mix/Affordable Housing

- 20.1 The proposal is considered to provide an acceptable range of house sizes in accordance with policy S7 of the ALPP1.
- 20.2 Policy SA3 of the ALPP2 requires that, in Workington, developments of this scale will be required to provide 20% affordable housing provision, with a tenure mix of 50% social rented and 50% intermediate housing. The policy includes that, 'in some cases viability of housing sites can be marginal and therefore a flexible approach is required. Where the viability of schemes fall short of the policy requirements, the onus will be on the developer/ landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution or a different tenure mix'.
- 20.3 The proposal was originally submitted with a 5% offer of affordable housing units (equating to 6 units) for discounted sale. The Council has sought a peer review of the Viability Statement provided by Story Homes to support this offer. The peer review has been undertaken on behalf of the Council by Keppie Massey chartered surveyors. This process has involved a detailed assessment of the costs (including land value) and revenues likely to be generated by the development, including an appropriate developer profit, to establish the quantum of affordable provision that can be delivered whilst retaining a viable scheme.
- 20.4 Following discussions and the provision of further information in this respect, the affordable housing offer has increased to 10%. The proposal now provides an amended affordable housing scheme of 8 units for discounted rent (4 x 3 bed houses and 4 x 2 bed houses), and 4 units for discounted sale (2 x 2 bed bungalows and 3 x 3 bed houses). Whilst this falls below the policy requirement of Policy SA3, the peer review from Keppie Massey does advise that the updated

information provided justifies this shortfall in provision on scheme viability grounds.

- 20.5 However, Keppie Massey have recommended that the legal agreement include a re-appraisal mechanism. Such a mechanism would seek a review of scheme viability in the event that there is an uplift in sales revenues, beyond those anticipated within the viability information provided thus far. Any agreement would seek to additional affordable provision, if this re-appraisal demonstrates viability with a higher percentage of affordable housing provision. This would most likely be in the form of a commuted sum for use off-site. The full details of such a mechanism would have to be agreed with the applicant as part of the s106 negotiations.
- 20.6 The recommendation for this mechanism has been relayed to the applicants and representations from Shoosmith's LLP have been made on the applicant's behalf. This correspondence raised concerns that any re-appraisal could not look at sales revenues alone, and would need to re-look at viability overall. It questioned whether a scheme of this size warranted such a mechanism given a build period of less than five years, and it argued that if the findings of the Viability Appraisal are accepted at this point, then in order to give certainty, this position needs to be fixed. Officers have subsequently replied to this correspondence and the applicant has confirmed that albeit they continue to have some concerns in terms of detail and how this mechanism will work in practice, they accept that the detailed negotiations of the s106 should clarify matters. As such, their response concludes that if CIL 122 compliant, they would be willing to engage in discussions regarding a re-appraisal mechanism as part of the drafting of the s106 agreement.
- 20.7 Regulation 122 of the Community Infrastructure Levy Regulations 2010 requires that planning obligations (secured through a s106 agreement) should be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 20.8 It is considered that the re-appraisal mechanism is necessary in this case, on the basis that the scheme is not policy compliant in terms of the delivery of affordable housing. Whilst the viability evidence available at this time, justifies a lower provision of 10%, a re-appraisal mechanism would secure the capture a greater affordable housing provision, should there be an uplift overall.
- 20.9 The obligation would be directly related to the development.
- 20.10 The detailed discussions to follow would need to ensure that the terms of the legal agreement were fairly and reasonably related in scale and kind to the development.
- 20.11 On the basis of this advice from Keppie Massey, the 10% affordable housing provision is considered to be acceptable with regards to policy SA3, providing

this is secured by a legal agreement which includes the recommended re-appraisal mechanism.

21.0 Play Provision/Amenity Green Space

- 21.1 Policy S25 of the ALPP1 requires that new residential development makes provision for well-designed public open space, either through on site provision of new open space or by financial contribution to enhance or create off site provision of public open space. DM14 specifies that new development should include high quality landscaping. The Council has an adopted Supplementary Planning Document (SPD) that sets out requirements for open space provision, differentiating between amenity greenspace and provision for children and young people. For residential developments of over 80 units, the SPD indicates that provision for both should be on site.
- 21.2 For amenity greenspace, the SPD specifies 15m² per dwelling, equating to a requirement here of 1845m². For children/young people, the requirement is 1.34 m² per dwelling, equating to 165 m².
- 21.3 The proposal provides for approx. 1,747 m² of public open space, consisting of two areas, one centrally and one to the western section of the site near to the entrance. Additional open space is provided via the proposed pond, which is an additional 2415sqm, totalling 4162sqm. The proposed SUDS pond, would be fenced and therefore not publicly accessible. However, the pond would still provide a biodiversity role, which the SPD accepts to be a function of open space, not simply for public amenity. With the inclusion of the pond, the SPD requirements for amenity greenspace would be exceeded.
- 21.4 The centrally located POS would contain an equipped play space, measuring approx. 123m². This provision falls short of the required standard of 165sqm, however the equipped play space, which would be fenced and equipped, sits within a wider area of open space and the designated equipped play space for children and young people could be accommodated. A minimum area can be controlled by condition, along with the timing of delivery. Delivery after the construction of the 80th Plot is considered to be appropriate as this equipped play space sits adjacent to phase 9a of the build, which totals 80 units. In terms of the equipment provided, given the size of the estate, it is considered appropriate that the area should provide at least four pieces of equipment and should meet the needs of a broader age range of children that just toddlers. As detailed information has not been provided, officers have recommended a condition be attached to any permission granted that would secure a minimum of four individual pieces of play equipment (excluding seating and bin) that provide for an age range of both 0-5 year olds and 5-9 year olds. The play area is located centrally within the site and fenced, and would be well overlooked in terms of security. As the play area lies adjacent to plot frontages which are public areas, the layout arrangements are considered to be acceptable and are similar to arrangements at the Whins Close development.

- 21.5 Officers have requested a more defined function to the proposed open space to the western portion of the site. The amended details now indicate a meandering path, with seat adjacent and small toddler climbing equipment (wooden logs and boulders), similar to those incorporated successfully at Strawberry How. Full details of these arrangements would also be secured by condition.
- 21.6 Subject to these conditions, the proposals for amenity greenspace and equipped play are considered to be acceptable in relation to policy S25 of the ALPP1 and the adopted SPD.

22.0 Education Provision

- 22.1 Similarly to the existing planning permission for the site, Cumbria County Council (CCC) has concluded that the likely pupil yield from the development can be accommodated by local schools at the primary and secondary level and therefore no financial contributions are required.
- 22.2 On the basis of the Education Authority's advice, it is considered that places exist within the statutory walking distance and therefore no commuted sums are required relating to the upgrade of local schools or for school transport.
- 22.3 It is noted that there are a number of representations raising concerns with the direction of children to Distington School, particularly relating to the safety of the walking route. This was raised as part of the previous application also. Further consultation was undertaken with the County Council as a result of this as part of the previous application and the Traffic Management Team has confirmed that the pedestrian route from the application site to Distington village for school children is considered to be a 'safe' route. A pedestrian footpath extends the full length of the A597 to its eastern side, where traffic lights cross the A595. A guardrail footpath then extends around the roundabout to where the unclassified and B road routes off the roundabout can be crossed.
- 22.4 To conclude on this matter, based on the advice of CCC, there are considered to be adequate places available within nearby schools and that particularly in relation to Distington school, the walking route is advised to be 'safe'.
- 22.5 A response to the application has also been raised by the MP for Allerdale, which challenges the modelling approach to education provision taken by Cumbria County Council. This response has been forwarded to Cumbria County Council for comment. No response has been received to date. However, it is not considered appropriate to challenge the Education Authority's approach to determining availability of places through an individual planning application. This should be addressed at a strategic level.

23.0 Ground Conditions

- 23.1 The application has been supported by a Phase 1 Desk Top Study and Phase 2 Site Appraisal, the latter concluding that the site does not require remediation in terms of potential contamination or ground gas migration. The Council's Environmental Health Officer has not sought the inclusion of any further

conditions in relation to ground conditions and therefore the proposal is considered to be acceptable with regard to relevant policies of the ALPP1 and the advice contained within the NPPF in this context.

23.2 Heritage/Archaeology

- 23.3 Policy S27 of the ALPP1 seeks to protect heritage assets to a level appropriate to their significance. The application is supported by an archaeological desk-based assessment and geophysical survey of the site. The results indicate that there is a low potential for archaeological assets to be disturbed by the construction of the proposed development. The County Archaeologist has concluded that the information provided is sufficient and no further conditions are recommended.
- 23.4 There are no other heritage assets within the locality of such proximity that they would be impacted by the proposal.
- 23.5 The proposal is therefore considered to be acceptable in relation to policy S27 of the ALPP1.

Local Financial Considerations

- 24.0 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.

Conclusions

- 25.0 High Harrington lies within the Principal Service Centre for the Borough within the Allerdale Local Plan Part 1 (ALPP1), to which the major new development is directed, including the largest proportion of new housing. The provision of an additional 123 dwellings would contribute to and not exceed the requirement to be provided by the Principle Centre. As an allocation for housing within Part 2 of the Plan and an extant permission, the principle of housing at this location has been deemed to be acceptable. This scale of development is considered to be appropriate to the size of the settlement and the role it has been allocated as the Principle Centre within the adopted ALPP1.
- 25.1 Whilst representations have been received raising a number of concerns, particularly relating to the adjacent highway and drainage/flood risk, the advice from both the Highways Authority/Lead Local Flood Authority and Highways England is that the adjacent highway network is capable of accommodating the development without raising any significant concerns and that the drainage details are acceptable in principle, with full details to be conditioned.
- 25.2 The proposal is not considered to have significant landscape and visual impacts from within the wider area, and the design of the scheme is considered to be compatible with the locality. Further to the amendments provided, and subject to a

number of conditions, the impact of the proposal is on the existing residents adjoining the site is considered to be acceptable.

- 25.3 Adverse impacts of the proposal principally relate to the loss of greenfield land and the resulting encroachment into the open countryside, loss of established hedgerows and some detriment to existing field patterns. The proposal will have other impacts that will be 'adverse', such as increased traffic movements to local roads, an adverse change in the outlook for nearby residents, as set out above. Whilst these impacts are adverse impacts of the development, none are considered to be significant, and the allocation of the site for housing has accepted the loss of this greenfield site.
- 25.4 The proposal will provide for 123 additional homes, contributing to one of the key objectives of the NPPF to provide sufficient housing to meet existing and future needs. The proposal would contribute to strategic objective SO2c of the ALPP1, which seeks to ensure a deliverable supply of housing land that meets the needs of the community and local economy. The proposal would provide for additional affordable housing, increasing access to affordable housing, in accordance with strategic objective SO2d of the ALPP1. The provision of additional housing would have economic benefits arising from further investment in the construction industry and the associated retention of jobs directly and indirectly within the supply chain.
- 25.5 The proposal is considered to accord with the Allerdale Local Plan Parts 1 and 2 when taken as a whole. The recommendation is for approval subject to the recommended conditions and the signing of a s106 agreement to secure delivery of the affordable housing provision and re-appraisal mechanism, and the Travel Plan monitoring fee.

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:
 - Location Plan Rev A 20011-LOC
 - Revised application form, Section 3 – Change to description of development
 - Highways and Drainage layout drawing number 30094/1 rev C, received 6th May 2021
 - Existing & Proposed levels layout drawing number 30094/103 rev D, received 6th May 2021
 - Construction Management Plan 20011-CMP rev B, received 6th May 2021
 - Management Company Plan Drawing number 20011-MAN01 rev B, received 6th May 2021
 - Proposed parking layout drawing number 20011-PL01 rev E, received 6th May 2021
 - Proposed site layout drawing number 20011-PL01 rev E, received 6th May 2021
 - Site Sections drawing number 20011-SS01 rev B, received 6th May 2021
 - Boundary Treatments drawing number 20011-BT01 rev D, received 6th May 2021
 - Elevation Treatments drawing number 20011-ET01 rev C, received 6th May 2021
 - Existing property stand-off plan drawing number 20011-SP01 rev B received 6th May 2021
 - Hard Surfaces Layout drawing number 20011-HS01 rev C, received 6th May 2021
 - Milford House Type Booklet, received 6th May 2021
 - Wexford House Type Booklet received 6th May 2021.
 - Robinson House Type Booklet, received 6th May 2021.
 - Branford House Type Booklet received 6th May 2021
 - Hartford House Type Booklet received 6th May 2021.
 - Pearson House Type booklet
 - Sanderson House Type Booklet
 - Emmerson House Type Booklet
 - Baxter House Type Booklet
 - Spencer House Type Booklet
 - Harper House Type Booklet
 - Carney House Type Booklet
 - Scottish Garage Booklet, received 6th May 2021

Materials Samples, received 6th May 2021.
External Plot Finishes Booklet (Boundary Treatments) received 6th May 2021
General Arrangement drawing number UG_699_LAN_GA-DRW_01 rev P05, received 6th May 2021
Soft Landscape plan sheet 1 of 4 drawing number UG_699_LAN_SL_DRW_03 rev P05 received 6th May 2021
Soft Landscape plan sheet 2 of 4 drawing number UG_699_LAN_SL_DRW_04 rev P05 received 6th May 2021
Soft Landscape plan sheet 3 of 4 drawing number UG_699_LAN_SL_DRW_05 rev P05 received 6th May 2021
Soft Landscape Plan sheet 4 of 4 drawing number UG_699_LAN_SL_DRW_06 rev P05 received 6th May 2021
Drawing BD100 Proprietary Field Gate
Arboricultural Method Statement drawing number UG_699_ARB_AMS_01 rev 00
Arboricultural Method Statement drawing number UG_699_ARB-AMS_02 rev 00
Arboricultural Method Statement drawing number UG_699_ARB-AMS_03 rev 02
Arboricultural Method Statement drawing number UG_699_ARB_AMS_03 rev 00
Flood Risk Assessment and Drainage Strategy – dated October 2020
Noise Assessment report v10, RS Acoustics Ltd, dated 26.04.2021
Travel plan, TPS dated April 2021
Arboricultural Impact Assessment, Urban Green, dated November 2020
Landscape and Visual Appraisal, Urban Green, September 2020
Preliminary Ecological Appraisal, Urban Green, September 2020
Archaeological Assessment, CFA Archaeology Ltd Report no. 3215
Phase 1 Desk Study, GRM, Sept 2014.
Phase 2 Site Appraisal, GRM, Sept 2016
I-Transport letter dated 27 August 2020
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.**
- j) **Construction Surface Water Management Plan**

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. **The carriageway, footways, footpaths, ramps etc shall be designed, constructed, drained and lit 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 Audit 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.

5. **Prior to the commencement of any development, a detailed 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 and maintained after completion) shall be submitted to and approved in writing by the Local Planning Authority. 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 drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated October 2020 proposing surface water**

discharging to the ordinary watercourse at the north west of the site. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

- 6. Prior to the commencement of any development, a condition and capacity survey of the culverted watercourse (or piped drainage system) downstream of the surface water discharge point shall be provided to the Local Planning Authority. The information provided should include mitigation measures where it is deemed that improvements are required and a timetable for the implementation of those mitigation measures. The development shall proceed only 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 policy S29 of the Allerdale Local Plan Part 1.

Post commencement:

- 8. Notwithstanding the approval plans, no development shall commence on the construction of Plot 15 until full details of the treatment of level changes/terraces/patio areas to the rear garden of the plot and additional soft landscaping measures to the rear boundary of the plot have been submitted to the Local Planning Authority for approval in writing. The development shall be completed only in accordance with the approved details.**

Reason: To ensure that the development is undertaken in a manner that would not give rise to significant overlooking to no.33 Harringdale Drive, in accordance with policy S32 of the Allerdale Local Plan Part 1.

- 9. Notwithstanding the approved plans, where any re-contouring of ground levels within the development would result in retaining walls or structures exceeding 1.0m in height, full details of the retaining walls or structures shall be submitted to the Local Planning authority for approval in writing before their implementation. Any such structures shall be implemented only in accordance with the approved details.**

Reason: To ensure a satisfactory standard of development for the external appearance of the approved scheme and to ensure a good standard of housing environment for future occupiers, in accordance with policies S4 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 10. Notwithstanding the approved plans, the boundary treatment to the the central area of public open space/equipped play area and SUDS pond shall be constructed of black vertical railings with plain top as indicated on drawing SD100-C-002 of the External Plot Finishes Booklet. The**

development shall be completed in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To ensure a satisfactory appearance and maintenance to boundary treatment within public areas, in accordance with policies S4 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

11. **Notwithstanding the submitted plans, the equipped play space to the central public open space, as defined by fencing, shall be a minimum of 165sqm and shall incorporate as a minimum four individual pieces of play equipment (excluding seating and bin) that provide for an age range of both 0-5 year olds and 5+ year olds. Full details of the play equipment and its layout, maintenance and management for the central public open space and the toddler climbing equipment and seating indicated to the public open space within the western portion of the site, shall be submitted to the Local Planning Authority for approval in writing prior to any works commencing on the equipped play area. The equipped play area to the central public open space and the toddler play equipment to the western public open space shall be constructed and made available for use as approved, before the 80th dwellinghouse hereby approved is occupied.**

Reason: To ensure a satisfactory provision of play equipment that meets the needs for future residents of the development, in accordance with policy S25 of the Allerdale Local Plan (Part 1), Adopted July 2014.

12. **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.

13. **The development shall be undertaken in accordance with recommendations and mitigation measures submitted within the Arboricultural Impact Assessment dated November 2020 & Arboricultural Method Statement dated October 2020, prepared by Open Green.**

Reason: To ensure that existing trees and hedgerows to be retained as part of the development are adequately protected during the construction of the development, in accordance with policy DM17 of the Allerdale Local Plan (Part 1), Adopted July 2014.

14. **The development shall be undertaken in accordance with the recommendations and mitigation measures contained within the submitted Ecological Appraisal by Urban Green dated September 2020.**

Reason: To minimise the impacts of the development on the ecological interests of the site in compliance with the National Planning Policy Framework, and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

15. **Prior to works commencing on the construction of the Emergency Vehicle Access hereby approved, details of the design/construction of the Emergency Vehicle Access shall be submitted to the Local Planning Authority for approval in writing. The Emergency Vehicle Access shall be constructed in accordance with the approved details.**

Reason: To ensure that the Emergency Vehicle Access is constructed in a manner that would minimise its impact on the rural character of the locality.

16. **Foul drainage from the development shall be connected to the public sewer.**

Reason: To ensure a satisfactory means of foul drainage and to minimise the risk of water pollution to the local water environment, in compliance with the National Planning Policy Framework and Policy S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

Before Occupation conditions:

19. **The sound attenuation measures detailed in the submitted noise assessment (RS Acoustic engineering Ltd noise impact assessment reference 170/2016 dated 26 April 2021) shall be fully implemented within those plots specified as requiring mitigation measures, prior to their occupation and the mitigation measures shall be permanently retained thereafter.**

Reason: To ensure an appropriate standard of housing environment in accordance with policies S4 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

20. **A landscaping management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including public open space, landscaped buffers and play area shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwellinghouse hereby approved. The development shall thereafter be maintained at all times in accordance with the approved management plan.**

Reason: To ensure the long term maintenance and management of public open space and landscaped buffers within the residential estate.

21. **No dwelling shall be occupied until the estate road, including footways and cycleways and private road where necessary to serve that dwelling, 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 of the occupiers of residential units hereby approved.

22. **The development shall not be brought into use until visibility splays providing clear visibility of 58 x 54 metres measured 2.4 metres 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 2015 (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.

- 23. The Emergency Vehicle Access hereby approved shall be constructed and be capable of use before the occupation of the 101st dwellinghouse hereby approved. The Emergency Vehicle Access shall be retained thereafter for the lifetime of the development.**

Reason: A second emergency access route is considered necessary for this scale of development, in the interests of public safety.

- 24. The proposed footpath link up to Beaufort Avenue (adjacent Plots 26-28) shall be laid up to the boundary of the site and any existing fencing within the site boundary shall be removed for the width of the footpath link, prior to the occupation of Plot 26. The link shall thereafter be retained.**

Reason: To facilitate pedestrian permeability through the site to adjoining land, in accordance with Policy S4 of the Allerdale Local Plan Part 1 and advice contained within the NPPF (2018).

Post construction conditions:

- 25. All planting, seeding or turfing comprised within the scheme and shown on the approved landscaping plans 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, in compliance with Policy DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 26. Following completion of the development hereby approved, an annual report reviewing the effectiveness of the Travel Plan for a period of 5 years, including any necessary amendments or further measures, as well as timing for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. Any amendments hereby approved shall be implemented in accordance with the approved timescales.**

Reason: To aid in the delivery of sustainable transport objectives from the operational use of the site in accordance with Policy S22 of the Allerdale Local Plan (Part 1) 2014.

NOTES TO APPLICANT

A condition has been placed which requires approval of any retaining features exceeding 1.0m in height. This is to ensure that any significant level changes (in combination with any boundary treatment) would not be visually oppressive for future residents. As such, where level changes between plots are significant, design measures such as terracing or sloping of land should be incorporated to ensure that future residents are not adversely impacted by inappropriately designed retaining walls and boundary treatments.

For the avoidance of doubt, this planning permission does not give consent for the removal of the hedgerow to the frontage of the field directly to the south of the proposal site in its entirety. Any removal is limited to the width of the Emergency Vehicle Access proposed.

