

# Allerdale Borough Council

## Planning Application RMA/2019/0015

<b>Proposed Development:</b>	Reserved matters application following outline permission on 2/2016/0249 for residential development and associated infrastructure
<b>Location:</b>	Land At, Lowmoor Road, Wigton
<b>Applicant:</b>	Mr David Wright Gleesons
<b>Recommendation:</b>	<p>That subject to verification of the visibility splay for Plot 1 the detailed reserved matters be approved, subject to conditions and the signing of a deed of variation to the original legal agreement to secure the amended affordable housing provision, (along with the originally secured provision for offsite commuted sum for upgrading of Phoenix Park and a sum of £4500 to cover a traffic regulation order to extend the 30mph speed limit zone).</p> <p>Should the legal agreement not be satisfactorily completed in a timely manner, then it is requested that the powers to refuse the proposal be delegated to the Chief Officer - Place and Governance or Planning and Building Control Manager, on the basis that those measures necessary to make the development acceptable in policy terms have not been secured through the necessary legal agreement.</p>

### UPDATE

Members will recall that this item (and the following item), were considered at the previous Development Panel on the 23<sup>rd</sup> November 2021. Both items were deferred from that meeting following concerns that were expressed with the loss of a mini-roundabout as the junction arrangement with Lowmoor Road, as the mini-roundabout was considered a means of slowing traffic speeds.

Subsequently, the applicant has provided a Stage 1 and 2 Road Safety Audit and Designers Response and this information has been provided to the Highways Authority for comment. The purpose of a Road Safety Audit is to identify any safety issues arising from a particular scheme and the Designers Response will set out how these are to be addressed. The following points are noted from the report:

1. **Problem** – New access points with dropped kerbs and flush crossings proposed, but no corresponding flush crossing to opposite side of Lowmoor Road for pedestrians.

**Response** – Will provide flush crossings for pedestrians and non-motorised users on both sides of Lowmoor Road. This will be carried out under the s278 Agreement with the County Council as the Highways Authority.

2. **Problem** - Plots 5 and 6 appear to have limited turning space within the driveways and the possibility exists of vehicles having to reverse out of drives onto Lowmoor Road, leading to potential conflicts and accidents. In addition to this, parking of cars on the drives will lessen the visibility for vehicles leaving the main junction, to the left and right of it. The visibility from the shared drive at Plot 1 is also very poor to the left, as Lowmoor Road bends to the left shortly beyond it and there is an existing building which will compromise the visibility splay.

**Response** - A review of driveway positions will be undertaken and they will be adjusted accordingly.

3. **Problem** – Risk of falling into SUDS pond from footpath.

**Response** - A suitable fencing solution has been proposed (already included on the submitted plans).

4. **Problem** – Position of speed limit signage. The existing speed restriction should be moved to the east and made more visible to drivers, possibly with red texture and markings on the road.
5. **Response** – It is agreed that the speed limit signage should be re-positioned and this has already been secured by a payment within the s106 agreement (attached to the outline approval).

#### **The response from the Highways Authority is summarised as follows:**

Note the safety audit response from the designer and find this acceptable. It seeks to rectify all elements picked up in the RSA. With regards to the traffic calming issue, active frontages are an effective means of traffic calming. This development will create this. Low Moor Road currently has no visual clues to drivers to slow down. It was envisaged that in response to the outline application that the roundabout would provide this clue, and force drivers to slow down. Subject to verification on the access/visibility requirement details for Plot 1 to ensure compliance with the outline conditions, the revised layout, with multiple accesses directly onto the road, will hopefully achieve a similar purpose.

From a Local Highway Authority point of view, speeds are high. This could be enforced by the police. From a design point of view however this is well within our tolerance for access designs. The 60m splay required assumes a 37mph 85%ile speed.

Numerous potential additional traffic calming measures have been discussed, e.g. (raised table at the main access onto Low Moor Road, carriageway narrowing, vehicle activated speed sign, chicane) but considering the above, this cannot be attributed to this applicant if the CIL tests are applied.

As such, having undertaken a Road Safety Audit and Review, none of the issues raised have related to the provision of a T junction arrangement in lieu of a roundabout at the entrance to the site. The Highways Authority remain satisfied that the replacement of a roundabout with a T junction would not give rise to severe highway impacts, which is the planning test. The Highways Authority go on to discuss traffic speeds and are satisfied

that the provision of housing facing onto Lowmoor Road with multiple accesses, will in itself be an indicator that cars should slow down. Further traffic calming measures are not considered reasonably necessary to make the development acceptable and cannot therefore be pursued at a cost to the applicant as they would not meet the legal test under the Community Infrastructure Levy Regulations.

Further, the Highways Authority appear satisfied that those issues flagged by the Road Safety Audit can be satisfactorily addressed.

To conclude on this matter, subject to the verification of the access visibility requirements for Plot 1, it remains the advice of the Highways Authority and Officers that the highway safety implications of the proposal are acceptable, subject to the recommended conditions and s106 agreement. There is no evidence available to support a refusal on this matter.

Other issues raised at the last meeting included the loss of the frontage hedgerow and the potential loss of an historic stone wall to the eastern boundary. The loss of the hedgerow has been considered in detail as part of the reserved matters application at section 16 onwards. The hedgerow to be lost measures 125m and replacement hedgerow is proposed totalling 340m. This is considered to be adequate compensation. The submitted plans confirm that the stone wall is to be retained as part of the site boundary, with a small section potentially lowered in height if required for visibility. The stone wall is highlighted in the Archaeological Evaluation undertaken for the site and no concerns have been raised by the County Archaeologist. Therefore this limited reduction to this wall is considered to be acceptable.

The recommendation remains as originally drafted.

**1.0 Summary**

<b>Issue</b>	<b>Conclusion</b>
<b>Principle</b>	The principle of the development has already been agreed when outline planning permission 2/2016/0249 was granted for residential development of the site.
<b>Access</b>	<p>The proposal includes a T-junction access off Lowmoor Road for properties internal to the site, along with a number of single and shared driveways serving those plots along the site frontage.</p> <p>The proposal does not include the provision of a mini-roundabout as conditioned on the outline approval. This change in design to the main access has not attracted any objections from the Highways Authority.</p> <p>A separate application has been made and is being considered concurrently to vary condition 6 – to remove reference to a mini-roundabout.</p>

<b>Layout, Scale, Appearance and Landscaping</b>	The detailed design of the scheme is considered to be acceptable following the negotiation of amended plans.
<b>Residential Amenity</b>	The proposal is considered to achieve an acceptable layout in relation to existing residential properties. The scheme will result in a significant change in outlook for existing residents to the north and the east of the site, from an open field to a housing estate. However, the separation distances are considered to be appropriate and the development would not have a significantly adverse impact in terms of outlook, oppressiveness.
<b>Biodiversity</b>	Whilst this issue has largely been considered at the outline stage, the reserved matters proposal does confirm the loss of a length of frontage hedgerow. Compensatory hedgerow to the eastern and southern boundaries is proposed and is considered adequate.
<b>Amenity Greenspace/ Children's Play Space</b>	The housing development is considered to provide an acceptable balance of built development and open space. The decision was taken at the outline stage to secure a commuted sum for the upgrade of offsite play provision, as opposed to provision on site.
<b>Affordable Housing Provision</b>	<p>The reserved matters scheme provides for 10% affordable housing for discounted sale. This is less than the policy complaint amount of 20% secured by legal agreement at the outline stage.</p> <p>A Viability Report has been provided to justify this shortfall and this has been peer reviewed by chartered surveyors on behalf of the Council. Following the provision of further information, the peer review concludes that the site's viability does justify a lower affordable housing provision.</p>

## 2.0 Proposal

- 2.1 The proposal seeks planning permission for the erection of 57 dwellings (this is a revision from the originally submitted scheme which proposed 62 dwellings).
- 2.2 The proposal includes housing fronting and being accessed directly from Lowmoor Road as well as additional housing at the rear served by a single access from Lowmoor Road, utilising a standard T junction located approximately halfway along the site frontage and opposite 39 Lowmoor Road. On entering the site, this access road would approach an area of open space and SUDS pond, where it would spur off to the east and west, providing access to further housing.
- 2.3 The proposed housing consists of:
- 9 x 2 bed semi-detached houses
  - 21 x 3 bed semi-detached houses
  - 20 x 3 bed detached houses
  - 7 x 4 bed detached houses

6 houses are proposed as affordable dwellings for discounted sale, 4 x 2 bed houses and 2 x 3 bed houses, equating to 10%.

- 2.3 Given the sloping nature of the site, the proposal would include some earthworks and regrading of levels.
- 2.5 The site area is approximately 2 hectare and the density of the development is 28.5 dwellings per hectare.
- 2.6 Two areas of open space are proposed within the site; one open space located centrally and in part containing a sustainable drainage pond and a further area to the south east of the site containing a further, larger pond.
- 2.7 Materials proposed are predominantly brick, with some render.
- 2.8 The housing has a combination of at least two or three in curtilage parking spaces, with the majority of plots having single garages in addition. Parking is provided through either frontage driveways, or driveways to the side.
- 2.9 The submitted drainage details indicate that surface water would connect to an existing ditch at the south east corner of the site at an attenuated rate of 6.9l/s. For foul drainage a pumping station is proposed to the south east corner of the site with riser main, connecting back up to Lowmoor Road.
- 2.10 A further planning application has been made under s73 of the Town and Country Planning Act to vary condition 6 of the outline consent 2/2016/0249. The variation to condition 6 seeks to remove reference to a mini-roundabout serving the development on Lowmoor Road, on the basis that the access proposed is now a T-junction that does not align with the existing entrance to Scholars Green on the opposite side of the road. It is acceptable to seek a variation to this condition on the basis that the matter of access was reserved for approval, access arrangements were not formally approved at the outline stage. It is appropriate to consider the two applications together as the subject matters are inter-related (access and layout of the site) and the acceptability of one application has implications for the other.
- 2.11 Should Members be minded to approve the s73 application seeking removal of the mini-roundabout, this would trigger a revised description for this reserved matters application as follows:

'Reserved matters application following outline permission 2/2016/0249 as varied by permission VAR/2020/0009, for residential development and associated infrastructure'.

This amendment has been agreed by the applicant's agent.

### **3.0 Amendments**

3.1 Amended plans and additional supporting information has been provided during the consideration of the application, relating to the following areas:

- Affordable housing provision, including Viability Appraisal
- Highway layout alterations and additional surface water drainage information
- Alterations to the layout and orientation of plots to improve the entrance to the development, provide a focus to the development and improve the street scene and quality of the public realm, including landscaping/tree planting.
- Relocation of public open space away from Lowmoor Road.
- Provision of a footpath link to the western edge of the site that would align with PRow 259007 on the opposite side of the road, so that residents at the south western extent of the site have a more direct route to this public right of way that connects to the town. Consideration has been given to house orientation and plot boundaries to ensure limited lengths of fencing to this footpath.
- Replacement hedgerow and soft landscaping to the eastern and southern boundary adjoining open fields.
- Alterations to the appearance of the houses to better reflect the character of the area.
- Additional information for earthworks and boundary treatment.

### **4.0 Site**

4.1 The application site is located along Lowmoor Road, Wigton, to the south east of Wigton town centre. This greenfield site is comprised of grazing pasture with a hedgerow forming part of the frontage with Lowmoor Road. The site lies to the south of the B5305 Lowmoor Road, with Lowmoor Road forming its northern frontage and fields forming its boundary to the south and east and residential properties forming its western edge. The proposal site is bounded by hedgerow and rails to the north boundary, with a partial sandstone wall to the east and the other boundaries by railings/fencing. To the north and directly off Lowmoor Road is the residential development of Scholars Green. The site generally falls from the north to the south, approx. 10.58AOD at the north boundary and 6.24AOD at the south eastern boundary. The land to the rear falls away slightly further before then rising to the housing estate to the south (Highmoor Gardens).

### **5.0 Relevant Planning History**

5.1 2/2016/0249 – Outline planning permission for residential development and associated infrastructure, all matters reserved. Granted subject to conditions and a legal agreement that secured the following:

- 20% of the total units to be affordable units, 75% of which are to be let at an affordable rent, 25% for discounted sale (80% of the open market

value). The s106 stipulates that these will be formed as two and three bed properties.

- An off-site Play Area Contribution to improve existing play facilities at Phoenix Park (No. of dwellings x 1.39) x £140
- A sum of £4500 to cover a traffic regulation order to extend the 30mph speed limit zone.

5.2 VAR/2020/0009 - Variation of Condition 6 of application 2/2016/0249 to remove the reference to the mini roundabout, pending.

## **6.0 Representations**

### **Wigton Town Council**

6.1 Response received 9<sup>th</sup> January 2020:

- Landscaping – there appears to be no play area or facilities for children
- Landscaping – concerns about the loss of habitat due to the removal of the hedgerow at the front.
- Scale – 24% increase in the number of properties over outline plans is unacceptable
- Scale – Has the pond increased in size due to the number of properties
- Layout – It is unclear if the car parking standards have been met – can you please confirm?
- Access – Outline planning showed a roundabout on Lowmoor Road which is our Councils preferred option.

Councillors also consider that improvements to the pavements on Lowmoor Road should be part of your assessment, and request that this be looked into with a view to the Developer making a contribution.

### **Cumbria County Council Highways Authority/Local Lead Flood Authority**

6.2 Response dated 15<sup>th</sup> January 2020 – Detailed comments provided on internal layout requiring some amendment. Further information sought on location of SUDS pond to south east corner of the site.

Response dated 12<sup>th</sup> August 2021 – Confirm that the highway layout is acceptable. Request details of internal and external pedestrian crossings. Further information/clarification sought in relation to the surface water drainage details for the site.

Response received 21<sup>st</sup> October 2021 – Notes provision of additional surface water drainage information. Requires further minor amendments to the drainage but accepts that these amendments can be secured through the discharge of the surface water drainage condition on the basis that the small changes would not result in amendment to the layout as proposed.

### **County Archaeologist**

- 6.5 No objection. Submitted Archaeological Evaluation is acceptable and scheme unlikely to impact on any archaeologically significant remains. Condition 18 of original outline permission complied with.

### **Cumbria County Council Minerals**

No objection, exempt as a reserved matters application.

### **Access Officer**

- 6.14 In respect of access into dwellings for disabled people this must at least meet the requirements of 2015 edition Approved Document M volume 1 section M4 (1) visitable dwellings for each dwelling.

### **ABC Housing Services**

- 6.15 Response December 2019 – Sets out need as identified by Housing Study 2016 and Choice based Lettings Data. None of the schemes referred to by the applicant offer housing at a price less than market value and therefore do not meet definition of affordable.

Response February 2021 – identifies greatest need from the 2016 Housing Study as four beds, then one beds, including for older people. Choice Based Lettings data suggests two bedroom properties for affordable rent are in greatest demand. Housing Services would therefore support two bedroom units on the site that would meet association and landlord standards. Queries whether 201 house types and 301 house types are of a suitable space standard.

Response 10<sup>th</sup> August 2021 – note the latest offer of 10% affordable units for discounted sale, mix of two and three beds. Subject to the acceptance of the viability appraisal, then a s106 agreement will be required to secure the sale at 75% of market value, with the Council as the certifying body. Space standards should be reflective of those accepted in the social rented sector – suitable for a minimum of three people.

### **Environmental Health**

- 6.21 No objection, require certain risks from gas migration to be further assessed – addressed by condition, and require a Construction Management Plan, also addressed by condition. A further condition is requested relating to noise insulation between the housing.

### **Cumbria Constabulary**

- 6.22 No comments received.

## **Fire Service**

6.23 No comments received.

## **United Utilities**

6.25 No comments received to this reserved matters application. (The response to the Outline application raised no objection subject to conditions for foul and surface water drainage details.

## **Cumbria Wildlife Trust**

6.27 No comments received.

6.28 The application was originally advertised by press advert, site notice and neighbour letter. Further re-consultation has been undertaken for amended plans.

6.29 15 letters of objection 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. Housing development in Wigton is already destroying natural environment, habitat and flood defences, unnecessary destruction in the face of climate change.
2. Location of site entrance is dangerous for those opposite and inconsiderate to housing opposite. Sightlines already restricted by hedges to 39 Lowmoor road.
3. Loss of frontage hedgerow as a distinguished feature.
4. Increased traffic. Already a high level of traffic from the school, cricket and rugby club, a number of businesses. Rat run, dangerous for pedestrians and cyclists.
5. Development will harm the learning environment of the school.
6. Loss of greenbelt land.
7. Further strain on services, when facilities are closing down in the town.
8. Land is a soakaway for significant rainfall, predict difficulties for future residents. Lack of detailed Flood Risk Assessment. Standing water on the land and road.
9. Did the original developer Story Homes, pull out because of an inability to manage water retention on the site?
10. The B5305 is too narrow for the amount of traffic it has to convey.
11. Frequent accidents on the junction with the A595.
12. Footpaths are narrow and unsuitable.
13. Achievable sightlines onto B5305 will be dangerous.
14. Irresponsible if the development impedes ambulance routes to Carlisle Infirmary.
15. Works traffic should not have preference over current traffic.
16. Concerns relating to private property and amenity during construction.
17. Exclusion of houses for older people and first time buyers.
18. Increase in carbon emissions affecting school children.

19. Mini roundabout would result in less danger and disruption.
20. Queries connection for foul drainage and whether United Utilities has been consulted.
21. Is a footpath proposed?
22. Geoenvironmental Appraisal carried out at the wrong time. Hedgerow should be retained to soften appearance of development.
23. What evidence to back up need for this type of housing? No provision for older people or social/affordable housing.
24. No provision for POS or play area.
25. Wigton has been saturated with new houses.
26. Will see the number of new houses for the Plan area exceeded.
27. Junction of B5305 and B5304 becomes heavily congested.
28. Lack of additional parking and inadequate garages.
29. Harm to character of Wigton, mix of town and country.
30. Concern that not all can rely on the internet to access plans and information.
31. Not acceptable that the number and details of the scheme, including unit numbers and access point has changed from the outline approval.
32. Natural beauty of the field and ecology, including deer and bats.
33. The Barn already suffers from flooding from the field opposite Scholars Green; the building works and subsequent reduction of natural drainage from the field by creating a large extent of hard surfaces is likely to increase the problems with water running across the driveway and flooding the garage. The most recent occurrence of this flooding happened in December 2019.
34. The windows on the west facing gable end of the properties will overlook The Barn and will give occupants a view directly into the living area in the Barn as the living/dining room & bedroom is on the first floor, not the ground floor.
35. Clarification sought that the footpath will not be a security or safety risk to occupiers of The Barn.
36. Open aspect currently enjoyed by The Barn, will be lost.
37. Driveways onto Lowmoor Road do not appear to accommodate more than one car. Any additional parking on Lowmoor Road would block two way traffic.
38. Currently no primary school places at the two closest primary schools and the other is a car journey away.

## **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 Wigton. The site is an identified housing commitment.

Policy SA1 Identified Sites  
Policy SA2 Settlement Boundaries  
Policy SA3 Affordable Housing  
Policy SA5 Housing Standards  
Policy SA6 Housing Delivery  
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**

- 12.1 The principle of housing at this location has been accepted at the outline stage, through the approval of application 2/2016/0249. It is not therefore necessary or appropriate to re-visit matters that relate to the principle of residential development of this site. As an application for approval of reserved matters only, these reserved matters are now for consideration – Access, layout, scale, appearance and landscaping:

### **12.2 Access**

- 12.3 Policy S22 of the Allerdale Local Plan Part 1 contains a number of criteria for new development, including that new development should, improve accessibility, be accessed safely and not compromise the safety of any transport route, encourage attractive and well-connected street networks, make provision for pedestrians and cyclists to be given the highest priority within new development, and be required to provide adequate levels of car parking, cycle facilities, and where appropriate incorporate charging points for electric and hybrid vehicles.
- 12.4 The NPPF at paragraph 104, advises that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. Paragraph 110 of the NPPF advises that new development should ensure safe and suitable access to the site for all users, that the design of streets should reflect current national guidance,

including the National Design Guide and the National Model Design Code. Further, the NPPF requires that any significant impacts from a development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree. Paragraph 111 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 12.5 Access is specified as a reserved matter on the decision notice relating to outline approval 2/2016/0249. However, although the approval of such detail was reserved at the outline stage, it is noted that the outline decision notice secured by condition, the provision of a mini roundabout at the access from Lowmoor Road (Condition 6).
- 12.6 In pre-application discussions with the applicant relating to the access and layout of the site for the reserved matters application, it was noted that the outline application included with it, indicative plans which initially showed a central access point with T-junction, then amended to an easterly access point with roundabout. The consultation responses from the Highways Authority at that outline stage, raised no specific objection to either arrangement.
- 12.7 Following discussions with the applicant at the pre-application and application stage, a central access with T-junction has been pursued, for two reasons, (1) This option had not attracted any objection from the Highways Authority at (2) A central access to the site, with dwellings either side of that access facing onto Lowmoor Road and with an internal tree lined road then leading to a central area of open space with housing facing onto that open space, is considered to provide a more focused and attractive entrance to the development and better standard of layout and design overall, than could be achieved from a more easterly access junction, with mini-roundabout. It is considered that a mini-roundabout would have prioritised the design of the entrance for private car users, over and above the form and design of the development overall, and above the access and movement of pedestrians into and through the site.
- 12.8 The proposed central access lies opposite 39 Lowmoor Road, approx. 60m from the existing junction into Scholars Green (measured from the centre line of the existing and proposed junctions). This separation distance between the existing and proposed junctions is similar to previously accepted arrangements for other housing schemes such as the Story's development at High Harrington, off Main Road (the A597).
- 12.9 The Highways Authority has not raised any objection to the access and layout details now shown for a T-junction arrangement, located centrally to the site frontage along Lowmoor Road as part of this detailed application. Whilst the safety concerns of the Town Council and members of the public are noted relating to the loss of the mini-roundabout, the Highways Authority have not raised any safety concerns themselves. The NPPF clearly sets out that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety and given the advice of the Highways Authority, this is not considered to be the case here. As the access as proposed

is considered to provide a better entrance to the site and internal layout in design and layout terms, and no safety concerns have been raised by the Highways Authority, nor evidence from objectors, then the access to the site as shown on the detailed plans is considered to be acceptable in officer's opinion.

- 12.10 Members will note that an application to vary condition 6 of the outline planning permission to remove the reference to the mini-roundabout is also for consideration.

### **13.1 Layout**

- 13.2 The amended layout of the scheme is considered to be generally acceptable. Housing along the frontage of the site presents positively onto Lowmoor Road, with a combination of shared private driveways and individual private driveways. Plots 7 and 49 sit either side of the junction, facing the main road also. The internal road will include eight trees for its initial length and will lead to an area of open space, used partly for a retention pond and housing will present onto this open space. There are then two spurs east and west, leading to additional housing. A further retention pond is located to the south east corner. A footpath is provided to the western boundary to allow a quicker route for pedestrians wishing to connect to PROW 259007 that leads into the town centre on the opposite side of the road, for housing in the south west corner of the site. The landscaping plans indicate that this footpath will be bounded by a hedge, which lowers in height to the front of plot 1 and plot 17 to increase natural surveillance. Plot 1 will have a house type facing onto this footpath, again to improve natural surveillance.
- 13.3 A number of policies of the ALPP1 and principally Policy S32 seek to protect the amenity of existing residents to an acceptable standard primarily by ensuring adequate separation distances. The proposal has the potential to impact principally on those residential properties to the western and northern and boundaries of the site.
- 13.4 With regards to properties to the west, The Barn and Lowmoor House face towards the application site. Plot 1 will face west, towards The Barn, in order to provide some natural surveillance of the footpath proposed to this boundary. This will achieve a 21m separation distance with the existing dwelling at The Barn. 21m is generally accepted as an appropriate main to main separation distance. Plot 17 will sit further south and will not result in any direct overlooking. It is accepted that the outlook from these properties will change, from an open view across fields, to a housing estate. The planning process is not required to protect a private view, but should consider the impact on outlook and prevent development that would be overbearing. Given the separation distances and the arrangement of plots on site, with intervening spaces between plots 1 and 17, it is not considered that the proposal would significantly impact on outlook or be overbearing.
- 13.5 Separation distances with existing houses on Lowmoor Road are considered to be acceptable, exceeding 24m front to front separation.

- 13.6 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. Due to level changes across the site and the need to engineer the ground levels to accommodate the highway and level build plots, garden areas will have to be graded in most cases, this will be greatest adjacent to the southern boundary, where rear gardens are proposed to have gradients of 1 in 6. Whilst this will impact on the usability of these private gardens, the gradients would not be such that the gardens would be unusable and the plans indicate small level patios to each plot. As such, these graded gardens are considered to be acceptable.
- 13.7 The parking layout indicates a total of 156 parking spaces, 153 in curtilage and 3 visitor bays. CCC's Design Guide requires a maximum of 148 spaces for the housing mix proposed. As such, the parking requirements of the County Council's Design Guide are met and marginally exceeded.
- 13.8 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. 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 this scale, the SPD indicates that provision for amenity greenspace should be on site, at a ratio of 15sqm per dwellings and equipped play space can be either on or off site depending on the proximity of existing off site facilities.
- 13.9 For amenity greenspace, this equates to a requirement of 855m<sup>2</sup>. The proposal provides for approx. 1879m<sup>2</sup> of public open space, consisting of two areas, one centrally and one to the south east corner of the site, both areas contain ponds that will form part of the surface water drainage system. The proposed SUDS ponds, would be fenced with low level vertical railings, 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. The SPD requirements for amenity greenspace would therefore be exceeded.
- 13.10 With regards to the provision for children/young people and the provision of equipped play, the decision was taken at the outline stage that such provision could be made off site, and a legal agreement secured an off-site Play Area Contribution to improve existing play facilities at Phoenix Park. As such, it is not necessary to provide equipped play space within this development.
- 13.11 The details in respect to layout are considered to be acceptable.

## **14.0 Scale**

- 14.1 Residential development of the site has been approved at the outline stage and therefore the principle of housing on a site of this size is accepted in relation to

Wigton as a Key Service Centre. The scale of the development in terms of unit numbers proposed has increased over and above those shown indicatively at the outline planning stage, from 50 to 57. No concerns are raised with this additional seven units indicated over and above that illustrated at the outline stage. The density of the development would equate to just under 30 dwellings per hectare, which is considered to be an appropriate density having regard to the character of the area, whilst also ensuring an efficient use of land. Further, the proposed house types are not large and so the inclusion of 57 units does not appear as over-development of the site. All houses are detached or semi-detached and the majority have parking to the side, which will create visual gaps through the housing, increasing the sense of space and ensuring that plots do not appear as one continuous block of development, dominated by frontage parking.

- 14.2 The proposed houses are all two storey, and whilst some engineering works will be necessary, the development will generally reflect the natural slope of the site. As housing in the locality is predominantly two storey also, then the physical scale of the housing is considered to be acceptable.

## 15.0 **Appearance**

- 15.1 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 recently 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'.

- 15.2 Amendments have been sought from the applicant through layout (as discussed above) and landscaping, (as discussed below) as well as through the design of the individual houses, to improve how the site sits within its context and to provide a greater degree of distinctiveness and character to the scheme. The applicant is a large house builder, utilising standard house types into their schemes. However, amendments have been sought to the external elevations, fenestration, materials and boundary treatment to those plots along the site

frontage and along the main internal route, to reflect to a greater extent, some of the elements that create the character and distinctiveness of Wigton. Examples of these amendments include the use of a render finish to the frontage plots and on the first stretch of road into the site, interlinking brick walls along these same plots to create a sense of enclosure, the use of banding and windows with a more vertical emphasis, etc. The design of the dwellings as amended are considered to be acceptable.

## **16.0 Landscaping**

- 16.1 A landscaping plan has been provided with the proposal. This shows 11 trees planted along the site frontage, within low bands of planting between driveways. A further 8 trees are proposed on the initial section of internal road leading to the central POS, with 7 trees planted to the central POS, 11 trees to the remaining internal roads and 8 trees to the south-eastern POS. New native hedgerow planting is proposed to the full length of the eastern boundary, and to much of the southern boundary, which is considered an appropriate buffer to the open fields beyond. Otherwise, the landscaping is limited to grass seed or turf and some low level planting within private plots. The two SUDS areas are indicated to be treated with grass seed, with some pockets of mixed species to the south-eastern pond. It is considered that both ponds should include additional mixed species and a condition is therefore proposed to secure this.
- 16.2 The proposal will result in the loss of a section of hedgerow that forms part of the northern boundary to Lowmoor Road. This hedge is approx. 125m. It does not connect to other hedgerows. Removal of the hedgerow has resulted from the layout of the development which has individual plots facing onto Lowmoor Road with access points. A statement accompanies the application, confirming that the hedgerow does not meet any of the criteria to be considered of historical value. An assessment of the ecological value of the hedgerow has been undertaken by Penine Ecological also, which concludes that the hedgerow falls marginally short of the 'important' hedgerow qualifying criteria, albeit in respect of woodland ground flora, there was a seasonal constraint in relation to the survey timing. One additional woodland ground flora species would score as an additional 'associated feature'.
- 16.3 The proposal will result in new native hedgerow planting totalling approx.340m in length, mainly to the southern and eastern boundaries. Whilst this will take some time to establish, it is considered to be appropriate compensation for the length of hedgerow to be lost, with the applicant's consultant indicating that this would likely be a net gain in biodiversity.
- 16.4 There are numerous small trees to the perimeter of the site, which generally appear to be outside of the field and are unlikely to be affected by the proposal.
- 16.5 The landscaping for the site is considered to be acceptable, subject to the recommended condition to secure enhanced planting to the ponds.

## **17.0 Housing Mix/Affordable Housing**

- 17.1 The proposal is considered to provide an acceptable range of house sizes in accordance with policy S7 of the ALPP1.
- 17.2 Policy SA3 of the ALPP2 requires that in Wigton, 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, albeit 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.
- 17.3 The proposal identifies 6 houses as affordable dwellings for discounted sale, 4 x 2 bed houses and 2 x 3 bed houses, equating to 10%. The house types indicated as those for discounted sale are '201' and '301's. It is understood that due to the bedroom dimensions, the 201 house type would be akin to a 2 bedroom property for three people, and the 301 house type would be akin to a 2 bedroom property for four people, as the third bedroom is very small. The affordable housing units are distributed through the scheme.
- 17.4 The Council has sought a peer review of the Viability Report provided by Cushman and Wakefield on behalf of the applicant, to support this reduced 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.
- 17.5 Following discussions and the provision of further information in this respect, Keppie Massey advise that the evidence provided does justify this shortfall in provision on viability grounds. Housing Services have been re-consulted and on the basis of the independent review, they confirm that they accept the reduced offer, subject to this being secured by s106 agreement. On the basis of this advice, the 10% affordable housing provision as discounted sale is considered to be acceptable and would need to be secured by a revised/updated legal agreement as this now differs from the provision secured at the outline planning stage.

## **18.0 Building Standards**

- 18.1 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) and 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, unless the applicant can clearly demonstrate that: a) It is not practically achievable due to the physical characteristics of the site; or b) It would significantly harm the financial viability of the scheme.

18.2 The plans indicate that 16 units will be to M4(2) standards, which is over the 20% requirement. No units are proposed to meet M4(3) standards and the Viability Report assessed in relation to affordable housing, is considered to justify this policy shortfall on viability grounds. Members are advised that seeking units that are policy compliant in terms of M4(3) standards would mean a further reduction in the affordable housing offer.

## **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. The proposal site lies within Flood Zone 1, which is land at the lowest probability of flooding. However, there are known flooding issues downstream at Wiza Beck.

15.3 Flood risk and drainage are not reserved matters and the outline planning application was accompanied by a Flood Risk Assessment and Outline Drainage Strategy. Based on this information, it was considered that flood risk and drainage could be appropriately managed through conditions. Condition 10 secured full details of a surface water drainage system and condition 11 secured the drainage for the development in accordance with principles set out in the submitted Flood Risk Assessment & Outline Drainage Strategy (Ref No. K32867/01/ODS/RH, Issue 03, Dated 11 April 2016) which was prepared by R. G. Parkins & Partners LTD proposing surface water discharging into watercourse.

15.4 Whilst full surface water drainage details are conditioned and will be dealt with under a separate application, drainage plans can have implications for the layout and levels of a scheme, particularly where sustainable drainage ponds are proposed, as is the case here. As such, detailed surface water drainage information has been provided and further information has been sought by the Local Lead Flood Authority. The applicant's drainage consultant has subsequently met with representatives of the LLFA and further drainage information has been provided. The LLFA has subsequently confirmed that further to some minor amendments to the drainage, which can be dealt with through the discharge of the condition, the details of the reserved matters application are acceptable.

15.5 Foul drainage will connect to mains utilising a pumping station. United Utilities have raised no objections to the reserved matters application.

## **16.0 Biodiversity**

16.1 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.

- 16.2 The ecological value of the site was considered at the outline stage, following the submission of various ecological reports. The assessment concluded that ecological interests would be suitably addressed through a condition that secured the mitigation measures contained within these reports (condition 19). In the 2016 application, a possible badger sett was identified and a further badger survey has been commissioned to address this. The survey has not identified any use of the site by badgers and it is considered that this aspect of the original mitigation measures is satisfied. The reserved matters application includes other measures consistent with the original mitigation measures, such as the planting of native hedgerows to the southern and eastern boundaries, and the inclusion of sustainable drainage features (ponds) to increase the habitat available to Great Crested Newts. As outline above, the landscaping of the site is considered to be appropriate compensation for any lost habitat.
- 16.3 As such, it is considered that biodiversity has been assessed at the outline stage and where relevant, the reserved matters application responds to the mitigation measures conditioned at the outline stage.

## **17.0 Heritage/Archaeology**

- 17.1 Policy S27 of the ALPP1 seeks to protect heritage assets to a level appropriate to their significance. Condition 18 of the outline approval required further archaeological investigation and this has been conducted and the report accompanies this application. Whilst the Council has not been formally asked to discharge this condition, the County's Historic Environment Officer has confirmed that the report is sufficient to discharge the requirements of the condition, with the results showing no archaeological interest at the site.
- 17.2 The proposal is therefore considered to be acceptable in relation to policy S27 of the ALPP1.

## **18.0 Local Financial Considerations**

- 18.1 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.

## **19.0 Conclusions**

- 19.1 Residential development of the site has been accepted in principle with the grant of outline planning permission. The site lies within the settlement boundary of Wigton and is a housing commitment in the Allerdale Local Plan Part 2.
- 19.2 For the reasons outlined above, the detailed plans provided to address access, layout, scale, appearance and landscaping are considered to be acceptable. Whilst it is acknowledged that the access to the site would be provided by a T-junction arrangement and not a mini-roundabout, the Highways Authority has raised no objections to this on highway safety grounds, and the revision is

considered to provide an improved design approach to the layout of the site overall.

- 19.3 The proposal is considered to be acceptable, and the recommendation is that the details for the reserved matters be approved, subject to the recommended description change as set out at section 2.11 above, the annexed conditions and the signing of a Deed of Variation to the original legal agreement to secure the revised affordable housing provision along with the originally secured provision for offsite commuted sum for upgrading of Phoenix Park and a sum of £4500 to cover a traffic regulation order to extend the 30mph speed limit zone.

## Annex 1

### CONDITIONS

#### In Accordance:

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

#### Location Plan

Dwg 1739-PL216(L) Site Plan as Proposed - Amended plan received 16<sup>th</sup> April 2021

Amended Affordable Housing Plan – Amended plan received 5<sup>th</sup> August 2021

Dwg GHLRW-WW-01-D Landscape Plan – Amended plan received 16<sup>th</sup> April 2021

Dwg 1739 – PL217 rev F Parking Layout and Visibility Splays Plan as Proposed – Amended plan received 16<sup>th</sup> April 2021

Dwg 1739-PL219(C) Boundaries & Elevations Plan as Proposed - Amended plan received 16<sup>th</sup> April 2021

Bow Top Fencing specification

DWG SD700A - Single Garage Details

Dwg 1739-PL410(B) Site Sections as Proposed - Amended plan received 16<sup>th</sup> April 2021

Dwg K36669-A1-109B EXTERNAL LEVELS PLAN - Amended plan received 16<sup>th</sup> April 2021

Dwg 201 – REN House Type 201 Elevations Render Variant - Amended plan received 16<sup>th</sup> April 2021

Dwg 201-301-REN 201-301 Render Variant - Amended plan received 16<sup>th</sup> April 2021

Dwg 301 – REN House Type 301 Elevations Render Variant - Amended plan received 16<sup>th</sup> April 2021

Dwg 443/227 Plans and Elevations Types 201o & 301a (excluding attached garage) - Amended plan received 16<sup>th</sup> April 2021

Dwg 13/302 - 9 Rev E – House type 302 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021

Dwg 302- REN - 302 Elevation Render Variant - Amended plan received 16<sup>th</sup> April 2021

Dwg 302/1G House Type 302 Floor Plans - - Amended plan received 16<sup>th</sup> April 2021

Dwg 304/1E – 304 Floor Plans - Amended plan received 16<sup>th</sup> April 2021

Dwg 13/304 – 10 Rev G House Type 304 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021

Dwg 307/1B House Type 307 Floor Plans - Amended plan received 16<sup>th</sup> April 2021

Dwg 443/214 House Type 307 Plans and Elevations - Amended plan received 16<sup>th</sup> April 2021

Dwg 13/315 - 9 Rev A – House type 315 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021

**Dwg 315/1A House Type 315 Floor Plans- Amended plan received 16<sup>th</sup> April 2021**

**13/350 – 8 Rev B House Type 350 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 350 REN 350 Render Variant- Amended plan received 16<sup>th</sup> April 2021**

**Dwg 350/1A House Type 350 Floor Plans- Amended plan received 16<sup>th</sup> April 2021**

**Dwg 13/351 - 9 Rev A – House type 351 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 351/1 –351 Dwelling Type Floor Plans - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 351-REN House Type 351 Render Variant – Amended Plan received 21<sup>st</sup> October 2021**

**Dwg 13/353 – 09 Rev A House Type 353 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 353-REN – 353 Render Variant - received 21<sup>st</sup> October 2021**

**Dwg 353 1/A House Type 353 Floor Plans - received 21<sup>st</sup> October 2021**

**Dwg 13/435 – 9 Rev A Dwelling Type 435 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 435-REN – 435 Elevation Render Variant - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 435/1 A – 435 Floor Plans- Amended plan received 16<sup>th</sup> April 2021**

**Dwg 13/454 – 10 Rev B House Type 454 Elevations (Rural 13) - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 454/1A House Type 454 Floor Plans - Amended plan received 16<sup>th</sup> April 2021**

**Dwg 454 – REN 454 Elevation in Render Variant- Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669/A1/101 G Proposed Foul and Surface Water Drainage Layout – Amended plan received 13<sup>th</sup> October 2021 2021**

**Dwg K36669/A1/116 Proposed Exceedance Route Details – 13<sup>th</sup> October 2021**

**Dwg K36669-A3-200 S104 DEED OF GRANT PLAN - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-204 S104 FW LONGITUDINAL SECTIONS - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-206 S11 FLOW CONTROL DETAILS - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-205 S13 FLOW CONTROL DETAILS - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-207 S04 FLOW CONTROL DETAILS - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-106A DETENTION BASIN DETAILS SHEET 1 OF 2 - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-107C DETENTION BASIN DETAILS SHEET 2 OF 2 - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-110B SW PIPE NETWORK & MANHOLE SCHEDULE - Amended plan received 16<sup>th</sup> April 2021**

**Dwg K36669-A1-100B CATCHMENT PLAN - Amended plan received 16<sup>th</sup> April 2021**

Dwg K36669-A1-108A GENERAL DRAINAGE CONSTRUCTION DETAILS - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-121 FOUNDATION KEY PLAN AND SCHEDULE A1L 1 OF 2 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-122 FOUNDATION KEY PLAN AND SCHEDULE A1L 2 OF 2 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-202 S104 SW LONGITUDINAL SECTIONS 1 OF 2 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-203 S104 SW LONGITUDINAL SECTIONS 2 OF 2 Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-111B FW PIPE NETWORK & MANHOLE SCHEDULE - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-103A HIGHWAY LONG SECTIONS 1 of 3 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-104A HIGHWAY LONG SECTIONS 2 of 3 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-105A HIGHWAY LONG SECTIONS 3 of 3 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-115 S38 HIGHWAYS ADOPTION PLAN - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-112A EXTERNAL WORKS LAYOUT Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-113A EXTERNAL WORKS CONSTRUCTION DETAILS 1 OF 2 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-114A EXTERNAL WORKS CONSTRUCTION DETAILS 2 OF 2 - Amended plan received 16<sup>th</sup> April 2021  
Dwg K36669-A1-102B HIGHWAY LEVELS PLAN - Amended plan received 16<sup>th</sup> April 2021

**Flood Risk Assessment and Drainage Strategy Rev a, 1 Oct 2020, R.G. Parkin & Partners Ltd**

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.

**Post commencement:**

2. **Notwithstanding the approved landscaping plan, the plant species specified for the new boundary hedge to the western boundaries of plots 1 and 17, shall be submitted to and approved in writing by the Local Planning Authority, including details of the standard height. The approved planting details shall be implemented before plots 1 and 17 are brought into use and the hedge shall be retained thereafter and not removed or replaced without prior consent of the Local Planning Authority. Should any 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: To allow a degree of natural surveillance of the adjoining pedestrian footpath in the interests of securing safe development, in accordance with policy S4 of the Allerdale Local Plan Part 1.

- 3. Notwithstanding the approved landscaping plan, no part of the development hereby permitted shall be built above ground floor level until there has been submitted to and approved in writing by the Local Planning Authority, a further detailed landscaping plan for the two sustainable drainage ponds. The approved landscaping details shall be implemented within the first planting season following completion of the development and any 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.

- 4. 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.

- 5. The boundary treatment to the two sustainable urban drainage ponds shall be constructed of black vertical railings with bow top, 1.2m height as shown on drawing Dwg K36669-A1-106A DETENTION BASIN DETAILS SHEET 1 OF 2. The approved fencing shall be implemented before the ponds become operational 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.

- 6. Notwithstanding the approved landscaping plan, the boundary treatment to plots 7 and 49 shall be constructed in accordance with the details on approved drawing 1739-PL219(C) Boundaries & Elevations Plan as Proposed - Amended plan received 16<sup>th</sup> April 2021.**

Reason: For the avoidance of doubt as to the expected boundary treatment to these plots where they face onto Lowmoor Road.

- 7. Plots 1-10, 23-28, and 46 – 57 shall only be constructed in accordance with the ‘Render Variant Elevations’ approved for each house type identified for those plots.**

Reason: For the avoidance of doubt as to which house types and finish are approved for these plots.

8. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no fences, gates, walls or other means of enclosure shall be erected on the western boundary of plots 1 and 17 (between the hedge and the pedestrian footpath) without the prior written approval of the Local Planning Authority upon an application submitted to it.**

Reason: The Local Planning Authority wishes to retain control over any proposed alterations/extensions in the interests of the appearance of the site and the amenities of adjacent properties.

9. **The proposed footpath link adjacent to plots 1 and 17 shall be made available for use prior to 50% occupation of the housing hereby approved and shall be retained in an accessible condition for the lifetime of the development.**

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.

10. **A landscaping management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including public open space and landscaped buffers 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.

Post construction conditions:

11. **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 (unless otherwise specified by separate condition) 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.

