

**Allerdale Borough Council**  
**Planning Application FUL/2021/0067**  
**Development Panel Report**

**Reference Number: FUL/2021/0067**

**Valid Date: 1st March 2021**

**Location: Princess Hall, Princess Street, Workington, CA14 2QG**

**Applicant: Redacre Investments LLP**

**Proposal: Demolition of existing two storey building and the construction of a two storey mixed use building accommodating 2no retail units at ground floor with 7 no. apartments at first floor, alongside 4 no. town houses**

**RECOMMENDATION**

That the decision to grant permission subject to conditions be delegated to the Chief Officer – Place and Governance or the Planning and Building Control Manager subject to the signing of a section 106 to secure a sum of £6,000 to cover a traffic regulation order to undertake highway road marking and parking alterations.

Should the legal agreement not be satisfactorily completed within 3 months, 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.

**1. Summary**

<b><u>Issue</u></b>	<b><u>Conclusion</u></b>
Principle of Development (Residential)	The principle of residential development is acceptable. The site is located within the settlement of Workington and is previously developed land. The proposal complies with Policies S3 and S5.
Principle of Development (Retail )	The sequential assessment shows that there are no sequentially preferable sites that are available, suitable and viable. The proposal therefore accords with Policies S10 and DM8 and the retail development is acceptable in principle.
Layout of Development	The layout of the development is in keeping with the character of the area and accords with Policy S4.

Highway Safety	The proposal will not be harmful to highway safety.
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## 2. Introduction

2.1. The application has been called in by Councillor Wilkinson

## 3. Proposal

The Plans for consideration are:-

WPS-KMA-XX-XX-DR-A-7000-Rev P1 Site Location Plan,  
WPS-KMA-XX-XX-DR-A-7001Rev P1 Existing Site Plan,  
WPS-KMA-XX-XX-DR-A-7002 Rev P1 Proposed Demolition Plan,  
WPS-KMA-XX-XX-DR-A-7003 Rev P1 Proposed Block/Site Plan,  
WPS-KMA-XX-XX-DR-A-7004 Rev P1 Proposed Block/Site Plan Landscape,  
WPS-KMA-XX-XX-DR-A-7005 Rev P1 Proposed Ground Floor Plan (Mixed Use),  
WPS-KMA-XX-XX-DR-A-7006 Rev P1 Proposed First Floor Plan (Mixed Use),  
WPS-KMA-XX-XX-DR-A-7007 Rev P1 Proposed Ground Floor Plan (Townhouses),  
WPS-KMA-XX-XX-DR-A-7008 Rev P1 Proposed First Floor Plan (Townhouses),  
WPS-KMA-XX-XX-DR-A-7009 Rev P1 Proposed Elevations 01,  
WPS-KMA-XX-XX-DR-A-7010 Rev P1, Proposed Elevations 02,  
WPS-KMA-XX-XX-DR-A-7011 Rev P1 House Type A (2 bed) Proposed Floor Plans,  
WPS-KMA-XX-XX-DR-A-7012 Rev P1 House Type A (2 bed) Proposed Elevations,  
WPS-KMA-XX-XX-DR-A-7013 Rev P1 House Type B (3 bed) Proposed Floor Plans  
WPS-KMA-XX-XX-DR-A-7014 Rev P1 House Type B (3 bed) Proposed Elevations  
Transport Statement Technical Note 17/06/2021  
DWG VN201753-D100 Rev A.

3.1. The proposal is for the demolition of the existing two storey building and the construction of a two storey mixed use building accommodating 2no retail units at ground floor with 7 no. apartments at first floor, alongside 4 no. town houses located at the rear of the site.

3.2. The seven apartments will comprise 4no.1-bed apartments and 3no.2-bed apartments. The four town houses will comprise 2 two bedroom houses and 2 three bedroom houses.

## 4. Site

4.1. The site comprises an area of land approximately 0.226 ha situated between Princess Street, Albert Street and Frazer Street forming part of the St Michaels Ward of Workington.

4.2. The site comprises a vacant building which fronts onto Princess Street and was formerly a dance hall. The building is rendered with a pitched slate roof, at the rear there is a single storey flat roofed extension. The floor area of the building is circa 876 m<sup>2</sup>.

- 4.3. To the north of the site and on the opposite side of Princess Street is Vulcan Park, to the east is a row of terraced dwellings fronting onto Albert Street with a rear access road serving these properties and is adjacent to the eastern boundary of the site. To the west are residential properties fronting onto Princess Street and to the south of the site is Frazer Street with properties facing towards the site situated on the southern side of the road. The character of the area is predominantly terraced residential properties.

## **5. Relevant Planning History**

- 5.1. Planning permission (reference 2/2008/0819) was granted in February 2008 for a part change of use of large storage area to retail area for sale of unwanted and new and second hand goods for and on behalf of the general public. This permission was subject to a condition that stated that the ancillary retail use hereby approved shall be restricted to the allocated floor space shown on the approved plan and be exclusively for the sale of second hand household goods, excluding clothing, footwear and food. The approved plan identified the proposed retail floor space of 252 square metres, being 36% of the total building. The remainder of the floorspace was retained as storage space.
- 5.2. Planning permission (reference 2/1999/0965) granted for a change of use from car sales showroom to storage facility and ancillary repairs.

## **6. Representations**

### **6.1. Town Council object on the following grounds**

1. Insufficient time was given in order to fully consider this application.
2. There are two retail units offered with this application yet there are empty retail units in the town centre which is less than a five-minute walk from the given development site.
3. There is insufficient loading areas identified if the retail units were to be granted which would, in turn, encroach on neighbouring parking spaces.
4. WTC Councillors have received a number of objections from constituents in the properties neighbouring the proposed application site.

### **6.2. Cumbria County Highways**

#### Highways response:

It is noted that the applicant is proposing three new highway accesses to allow for additional off-street parking to accommodate this development. We have found that the proposed parking is acceptable however we would need to see a plan showing the visibility splays for each of the new accesses. Fraser Street and Princess Street are both 30mph roads that will mean that each of the accesses needs to achieve 60m splays in both directions set back into the site from a point of 2.4m. Pedestrian visibility splays of 2.4m x 2.4m shall also be included within this plan.

The two accesses proposed to join Fraser Street for the residential parking will interfere with the regularly utilised parking bays between the Existing Pedestrian

Links. We would require these bays to be reduced rather than removed completely. This would require a Traffic Regulation Order (TRO).

A TRO will also be required for the loading/unloading lay-by on Princess Street in order for restrictions to be in place.

The information requested above should be submitted prior to any approvals.

LLFA response:

The LLFA prefers the use of infiltration for all new developments however we appreciate that this is not always possible. Please could the applicant submit results of BRE365 testing as evidence that infiltration is not suitable for this site.

The principle of the drainage is acceptable to this authority and we would recommend the conditions are applied to any notice of approval that may be issued.

**6.3. United Utilities**

No objections subject to conditions

**6.4. Housing**

The findings from the 2016 housing study show that the need for affordable housing in Camerton, Great Clifton, Seaton, Winscales and Workington is mostly for four bed family properties. However, there is a substantial requirement to meet the needs of an ageing population through the provision of older person accommodation.

In the event of a registered and/or none registered housing provider delivering affordable housing in Allerdale there would be an expectation that the Council would influence how social rented housing would be allocated through nomination agreements or its allocation policy which is currently Cumbria Choice.

Where discounted sale properties are delivered there would be an expectation that the developer would work with the Council in line with its Discounted Sale policy.

**6.5. Cumbria Fire Service**

No objections

**6.6. Natural England**

No objections

**6.7. Environmental Health**

The site lies in an area known for being affected by ground gasses from old mines workings and naturally occurring sources. The modern method of building houses is more like creating a hermetically sealed set of rooms which makes the occupants more likely to be affected by any gas contamination affecting the properties. Therefore an assessment of the potential risk is required, and investigation maybe required post partial demolition.

6.8. The application has been advertised by site notice and neighbour letters.

6.9. 7 Objections and a petition of 16 signatures objecting on the following grounds:

- Highway safety by customers and staff comings and going near a busy road junction. The junction at Princess Street has poor visibility and has resulted in a number of accidents. The proposal is contrary to Paragraph 110 of the Planning Framework and Policies S2 & S32 of the Local Plan.
- Access should be purely onto Princess Street which is a quieter road and less parked up.
- The proposal would have an adverse impact on the residential amenity of the area arising from noise disturbance contrary to Paragraph 127 of the Framework and Polices S2 &S32 of the Local Plan.
- There are enough shops within 200-300 metres of the site and the town centre is close by, the proposal is contrary to Policy S26 of the Local Plan.
- The proposal does not protect existing community facilities
- The level of affordable housing is not site specific.
- There is limited on street parking particularly after 5.30pm and the shops would increase the parking needs of the area.
- Already a convenience store on the corner of Vulcans Lane/Princess Street.
- Object to social housing
- Limited consultation

## 7. **Environmental Impact Assessment**

7.1. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

7.2. The development does not within Schedule 1 nor 2 and, as such, is not EIA development.

## **8. Development Plan Policies**

### **8.1. Allerdale Local Plan (Part 1)**

Policy S1 Presumption in Favour of Development  
Policy S2 Sustainable Development  
Policy S3 Spatial Strategy and Growth  
Policy S4 Design Principles  
Policy S5 Development Principles  
Policy S8 Affordable Housing  
Policy S10 Elderly Needs Housing  
Policy S16 Town Centre and Retail  
Policy DM8 Protecting Town Centre Vitality and Viability

### **Allerdale Local Plan (Part 2)**

Policy SA3 Affordable Housing

## **9. Other material considerations**

### **9.1. National Planning Policy Framework (NPPF) (2021)**

### **9.2. Allerdale Borough Council Strategy 2020-2030:**

## **10. Assessment:**

### **Principle of Development (Residential)**

- 10.1 The site is not specifically allocated, however it is located within the development boundary of Workington as defined in the proposals map that forms part of Part 2 of the Local Plan. Policy S3 states that new development will be located in accordance with the spatial strategy and will be concentrated within the towns and villages identified in the settlement hierarchy. Workington is the principal centre for the district. The provision of seven apartments and four dwellings (11 residential units in total) is therefore acceptable in principle and accords with Policy S3.
- 10.2. Policy S5 refers to development principles. The policy states that new development will be concentrated within the physical limits of Principal, Key and Local Service Centres, Limited Growth Villages and appropriate development adjacent to Infill / Rounding Off Villages as identified within the settlement hierarchy. As previously mentioned Workington is a principal settlement.
- 10.3 The policy continues to state that the scale of the development proposed will be expected to be commensurate to the size of the settlement and reflect its position within the hierarchy. Where available and if appropriate the Council will encourage and prioritise the effective reuse of previously used land and buildings or vacant and underused land.

- 10.4 The proposal is for eleven residential units in total and is commensurate to the size of the settlement. Furthermore, the proposal will make effective use of previously used land which is currently vacant.
- 10.5 The policy identifies a number of criteria which are as follows:
- a) The development is of a scale and design which will not detract from the character of the settlement. The provision of eleven residential units is not considered to be harmful to the character of the area. This is discussed in more detail in the layout section of the report.
  - b) The development includes acceptable arrangements for car parking and access. The proposal would not be harmful to highway safety and is discussed in more detail in the highway section of the report.
  - c) The capacity of local infrastructure and/or environmental assets would not be exceeded by the proposed development. This issue has not been raised in the consultation process of the application.
  - d) The site of the proposed development is not considered to have significant amenity value. The existing building is not an historic asset and it is not considered to have any significant architectural quality.
  - e) The site is not considered to make a significant contribution to the character of the settlement in its undeveloped state. The site is in an undeveloped state, however in its current state does not make any significant contribution to the character of the area.
  - f) The development will not incur any significant harmful effects on environmental or heritage assets, habitats or wildlife, which cannot be successfully mitigated. The applicant submitted a bat report. It was observed that the level of bat activity on this site was unexpectedly low, given the context of the site with the nearby park, and the building providing 'moderate' bat roosting potential for bats. The building was recognised as having *moderate* potential for bat roosting, however, no evidence for roosting bats was found at this location. As the building is proposed to be demolished, any potential for bat habitat would be lost. By erecting bat boxes within the new buildings proposed at this site, bats can be encouraged to roost at the site. This can be secured by condition.

Overall the proposal is considered to comply with Policy S5.

### **Affordable Housing**

- 10.6. Policy SA3 ALPP2 requires that all housing development of more than 10 dwellings or where the dwellings would have a combined gross floor space of more than 1,000 square metres will be required to make provision for affordable housing. Policy S8 ALPP1 requires that within the Principal and Key Service Centres housing development of 10 dwellings (or 0.3 ha) or more will be required to make provision for 20% affordable housing. However Para 64 NPPF 2021 states that 'to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.' As such this negates the affordable housing requirements in the NPPF 2021 for 10% discounted sale and the Policy S8 and the Policy SA3 triggers for affordables.

10.7. In any event, the proposal is for the seven apartments and four dwellings all for social rent. In discussions with the Council Housing officer the applicant has agreed that the proposed seven apartments above the retail units are to be affordable rent and the occupancy restricted to 55+. This provision will meet the substantial requirement to meet the needs of an ageing population through the provision of older person accommodation. The 7 apartments for rent for the 55+ years complies with paragraph 65 criteria b) of the NPPF 2021 and provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students).

### **Principle of Development (Retail)**

10.8. Policy S16 refers town centre and retail development. The policy states that applications for main town centre uses outside of these defined centres will be refused where the applicant has not demonstrated compliance with the sequential approach to site selection, or where there is clear evidence that the proposal would have a significant adverse impact on the vitality and viability of a nearby centre.

10.9 Policy DM8 refers to protecting town centre vitality and viability. In particular it states that an impact assessment may be required for certain proposals outside of a defined town centre to assess the full extent of potential adverse impacts upon the existing town centre. For Workington the threshold is 500 square metres. The proposal at ground floor level of the mixed use building is 2 no. retail units which will have a floor area of 280m<sup>2</sup> (including a back of house area) and 65m<sup>2</sup>, providing a total gross retail area of 345m<sup>2</sup>. Given the proposed retail development is under the threshold for Workington then an impact assessment is not required in this case.

10.10 Turning to the sequential test, the policy states that applications for these uses, or extensions of existing uses (extensions over 200sqm) outside of the defined centres will be refused where the applicant has not demonstrated compliance with the sequential approach to site selection as set out in national policy.

10.11 In this case a sequential assessment has been submitted with the application. The applicant has stated of the two retail units, the larger unit will comprise a small convenience store which is intended to cater for the top up needs of customers. It will sell such items as milk, bread and other household products to supplement the needs of a weekly shop. The second smaller unit will provide a smaller complementary facility.

10.12 The applicant has further stated it is relevant to note that the existing site is already commercial in nature being the site of an existing retail unit and they consider that the proposed use is not a typical town centre use. However as explained above the lawful use is a B8 use with an ancillary retail use and although the actual proposal includes a convenience store. For the purposes of assessing the sequential assessment the proposal is for two new retail units.

- 10.13 The applicants in defining the area to assess have used a 10 minute walking time which represents a distance of about 800 metres from the site. This area includes part of Workington Town Centre area and the assessment identified seven sites within the catchment area and two allocated sites. The scope of the assessment area is considered acceptable and provides a reasonable walk time from the application site.
- 10.14 The assessment considered whether there were any more sequentially preferable sites having regard to their availability, suitability and viability for the proposed use. In particular, note was taken of the guidance in Paragraph 88 of the NPPF that in considering sequentially preferable sites applicants should demonstrate flexibility in terms of scale and format.
- 10.15 The applicant set out that relevant to this assessment, the nature of the proposed facility was considered being small local convenience retail units, typical of a residential neighbourhood and the site selection criteria was a retail unit of circa 280 m<sup>2</sup> and a complementary unit of circa 65 m<sup>2</sup>, a minimum population of 3000, a neighbourhood location with servicing and car parking.
- 10.16 The seven units were assessed and it was considered that one was already occupied and was therefore not available. The remaining six units were to let, however four were too small to accommodate even one of the units as they ranged from 59 -142 square metres and two of these has restricted access. One unit was not large enough to accommodate both units and also had restricted access and the remaining unit was too large at 525 square metres (over double the required size) and had poor servicing and no on site car parking.
- 10.17 The applicant also considered the two allocated sites. Firstly Policy SA47 – Central Station Car Park. This site which is located within the main retail area is 0.89 ha in extent. Given its extensive size it was not considered suitable for the proposed use.
- 10.18 Secondly, Policy SA48 – Royal British Legion. This site which has an area of 0.2 ha is occupied by the British Legion and was therefore not available. The site forms an allocation within the Allerdale Local Plan under Policy SA48 with supporting policy text in Policy SA46 which states that: “The allocated sites in Policies SA47 and SA48 will be safeguarded for main town centre uses and other uses that will support and enhance the vitality and viability of the town centre throughout the plan period. Retail-led schemes will be particularly encouraged.” In relation to its availability, although the Royal British Legion site is allocated within the Local Plan and from this it is assumed that it is available to be redeveloped during the plan period. At present the property is in operational use by the Royal British Legion with future events planned. There is currently no planning application for the site nor is there evidence of any active marketing. Furthermore it is concluded that the Royal British Legion site is not suitable for the proposed use. In this regard, the sequential approach to assessing whether there are suitable options for a proposed development should start with the role of the proposal and the catchment it is intended to serve. In the case of the application proposal this is for a local convenience store to serve a neighbourhood catchment area. As referenced above, National Planning Practice

Guidance comments on the need for any sequential assessment to be undertaken “with particular regard to the nature of the need to be addressed.” Also the applicant advises there is limited opportunity for flexibility in store format and scale, as the neighbourhood store format directly relates to the rationale behind its location as a convenience facility to serve its surrounding catchment, not as a town centre store. A site in a town centre, where main town centre uses tend to serve a much larger catchment area and meet the need and range of consumer requirements, is the opposite of what this type of neighbourhood convenience store is seeking to offer. In addition, the location of the site at the junction of Jane Street and Washington Street (A596) and partially to the rear of properties fronting Jane Street would not suit the business model of the proposed use. In this regard it is noted that the development considerations for the site as contained within the Local Plan states that the site will be served by existing public car parking within the town centre. This is at odds with the nature of the convenience aspect of the proposal which requires accessible on-site parking. Due to access constraints, it would also be difficult to readily service the property. The development constraints presented by the site in being within the setting of the Grade II\* listed St John’s Church and the Portland Square Conservation area together with protected trees abutting the site will also need to be given careful consideration and would impact on the delivery of the proposed scheme, even taking into account the need for a flexible approach. The properties fronting Jane Street would also shield views of the convenience store, which the applicant advises does not fit with the business model of having a store profile. The aspiration of Policy SA46 in achieving a retail led scheme would further not be achieved by the mixed use proposal the subject of this planning application.

- 10.19 Overall it is considered the sequential assessment has been robust and it has been concluded that having sought to identify available land or premises within the defined centres as set out above and edge of centre locations it considered that there are no sequentially preferable sites that are available, suitable and viable. The proposal therefore accords with Policies S16 and DM8 and the proposal of the retail element of the development is acceptable in principle.

#### Layout of Development

- 10.20 The proposed comprises two elements, the mixed use building fronting onto Princess Street and the town houses adjacent to Frazer Street. Policy S4 refers to proposals for all new development and will be required to demonstrate high standards of design and must amongst other things be visually attractive, of appropriate scale and appearance, respond positively to the character, of its location and integrate well with existing development and ensure suitable standards of access and amenity are achieved and maintained in relation to the development itself and the local area. Furthermore, the proposal should optimise the potential of the site by ensuring appropriate density and mass of development.
- 10.21 The site layout demonstrates an open frontage to the mixed-use building, with an in-curtilage retail car parking area fronting Princess Street. The form of the mixed-use building has been designed in a traditional manner, incorporating ‘book-end’ gables and a hipped pitched roof. Overall the building is considered to

integrate comfortably within its locality and would not be harmful to the character and appearance of the street scene.

- 10.22 With regard to the proposed four town houses located adjacent to Frazer Street, each town house will benefit from having a secure private rear garden and a smaller defensible space fronting the car parking area. The town houses have been designed in a contemporary manner with traditional proportions and pitched roof. They have been arranged on site in such a manner so as to maximise the development potential of the site, to permit the inclusion of appropriately sized rear gardens and also to ensure an efficient and safe separation of vehicular movements between the town houses and the supported living accommodation within the mixed-use building.
- 10.23 The applicant has stated a linear scheme fronting onto Frazer Street would not provide an appropriate development density and the ability to separate the car parking and servicing of the three elements across the site – the retail, supported living apartments and the dwelling houses. A linear scheme would have resulted in a significant reduction in residential accommodation due to minimum overlooking distances from the existing dwellings along Frazier Street and the proposed apartments, and would have significantly impaired their ability to effectively and safely separate the parking/servicing across the ‘rear’ of the site. On that basis the orientation of the dwellings in relation to Frazer Street is considered acceptable.
- 10.24 In terms of the impact the proposal would have on neighbouring residents, the proposed dwellings would not overlook the residential properties on Frazer Street. The separation distance between the town houses and the properties on Albert Street is considered sufficient and the mixed use building has a sufficient degree of separation between the dwellings on Albert Street and the neighbouring property on Princess Street
- 10.25 Overall the proposal is considered to comply with Policy S4.

### Highway Issues

- 10.26 The applicant has submitted a transport statement with the application. It indicates that there have been no recorded accidents along the site frontage on Princess Street or Frazer Street in the preceding 5-year period. There have been no recorded incidents along Frazer Street or Albert Street in the preceding 5-year period. There have been four recorded incidents along Princess Street in the preceding 5-year period with all incidents being recorded as slight. They state that based on this review there are no highway black spots or accident clusters on the local highway network which would impact on the safety of the proposed development.
- 10.27 The proposed site plan identifies different car parking areas which provide separation between the residential and retail elements of the scheme. A total of 6no. car parking bays have been provided within the proposals for use by residents and visitors of the affordable apartments, including for 1no. accessible

bay and 2no. electric vehicle charging points. This car park is accessed via a new access/egress position along Frazer Street

- 10.28 The town houses car park is accessed via a further new access/egress position along Frazer Street. It comprises a total of 8no. car parking bays which equates to 2no. bays per dwelling.
- 10.29 The retail car park is accessed directly from Princess Street and comprises a total of 14no. car parking bays, including for 2no. accessible bays and 2no. electric vehicle charging points
- 10.30 All resident/visitor/customer vehicles can enter the site (to their respective parking areas) from either Princess Street or Frazer Street, and they are able to enter the site, turn, reverse, and leave the site in forward gear.
- 10.31 The proposal also includes the provision of secure bicycle storage consisting of 8 no. bicycle parking spaces for use by retail customers (along Princess Street), 8 no. bicycle parking spaces have been provided for use by retail staff and 8no. bicycle parking spaces have been provided for use by the apartment residents and visitors next to the main residential entrance. Each town house rear garden is large enough to accommodate bicycle storage as necessary.
- 10.32 The highway authority consider the proposed parking provision for vehicles and cycles is acceptable. Furthermore, the site is also well located to public transport and is situated in a highly sustainable location. The proposal would not lead to problems of highway safety or on street parking.
- 10.33 An additional technical note was submitted to address the highway authority comments with reference to a visibility splay of 2.4m by 60m for Frazer Street and Princess Street. However according to Manual for Streets (MfS) the required visibility splay for a 30mph road is 43 metres. Accordingly, Vectos prepared a visibility splay drawing with a splay of 43 metres, as shown in DWG VN201753-D100 Rev A. This approach was agreed with Highways Officers who confirmed that they are not aware of any ongoing speeding issues at the location and given that the site is within a built-up area with plenty of warning signs, they would be able to accept 43m x 2.4m splays for each of the accesses. It was accepted to bring the visibility splay to the centreline of the road. Apart from the visibility to the west for the westernmost access (which has a visibility splay of 2.4m by 25m up to the junction with Albert Street) it is possible to achieve the 43m splay required for a 30mph road along Frazer Street. Due to the built-up nature of the local area, there is the likelihood that cars parked along Frazer Street will be located within the visibility splay. However, as outlined in MfS, parking in visibility splays in built-up areas is quite common and does not create considerable problems in practice. The required visibility splay can be achieved on Princess Street as there is an existing double yellow line parking restriction enforced along Princess Street. The Comments provided by the Council also requested that pedestrian visibility splays of 2.4m by 2.4m also be shown on a plan. DWG VN201753-D100 Rev A shows the required visibility splay at all access junctions on Frazer Street and Princess Street. In accordance with MfS any boundary treatment or obstructions located within the pedestrian visibility splay will be kept

below 600 millimetres to allow for sufficient visibility to be maintained for all pedestrians including children.

10.34 In terms of Frazer Street, the Highway Authority advised that double yellow lines would be required around the entrance to the site and that they would be looking to retain 3-5 parking spaces between to two access junctions, dependant on space and visibility when exiting the site. A review of this arrangement indicates that 3 parking spaces could be retained on Frazer Street to allow for vehicles to manoeuvre at both accesses in a safe manner, as shown in DWG VN201753-D100 Rev A. In terms of Princess Street, the TRO required would involve the reduction of the extents of the double yellow lines and insert a loading bay restriction for the layby created for servicing and deliveries. There are existing double yellow lines provided at the proposed site access on Princess Street and therefore there would be no alterations to these lines as part of the proposals.

### Third Party Objections

10.35 The Council have received objections from the Town Council and a number of local residents. In terms of consultation the Town Council response was received on 6<sup>th</sup> April 2021, however it is considered the Town Council have had significant time to provide any further comments in the meantime leading up to the committee. With regard to neighbours letter these were originally sent out in March. However, on the 22<sup>nd</sup> April additional neighbours were consulted on Albert Street and Frazer Street who were missed originally. Notwithstanding this a site notice was posted on 17<sup>th</sup> March 2021. Overall it is considered that sufficient consultation time has been given to the Town Council and local residents.

10.36 In terms of the other grounds of objection, the issue of empty retail units within the town centre has been addressed in the sequential assessment. The highway authority consider the loading areas for the retail units is acceptable. The level of traffic generated by the proposal would not be harmful to highway safety and the access onto Frazer Street is considered acceptable subject to provide sufficient visibility splays. It is acknowledged that there is limited on street parking on Frazer Street after 5.30pm, however the proposal provides off street parking and the highway authority accept the proposed parking provision and it will not lead to further on street parking.

10.37 The proposal would not have an adverse impact on residential amenity, given there is a degree of separation between the proposal and neighbouring dwellings, the proximity of other shops near to the site is not a determining factor in the outcome of this application, the use of the site is for B8 and is not a community facility, the level of affordable housing and its tenure has been clarified in the relevant section and the objection to social housing is not a material consideration.

## **11. Conclusions**

11.1. The proposed development is acceptable in principle, the site is located within the settlement boundary of Workington and the development represents the

redevelopment of a previously developed site. The retail element is acceptable as it is considered that there are no sequentially preferable sites that are available, suitable and viable. The proposed layout will integrate into the character of the area, it will not be harmful to the living conditions of neighbouring residents and the proposal would not be harmful to highway safety.

**12. RECOMMENDATION**

Grant permission subject to conditions and the signing of a section 106 to secure a sum of £6000 to cover a traffic regulation order to undertake highway road marking and parking alterations.

## Annex 1

### **CONDITIONS**

**1. Time Limit:** Three years

**2. In Accordance:**

WPS-KMA-XX-XX-DR-A-7000-Rev P1 Site Location Plan,  
WPS-KMA-XX-XX-DR-A-7001 Rev P1 Existing Site Plan,  
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WPS-KMA-XX-XX-DR-A-7012 Rev P1 House Type A (2 bed) Proposed Elevations,  
WPS-KMA-XX-XX-DR-A-7013 Rev P1 House Type B (3 bed) Proposed Floor Plans  
WPS-KMA-XX-XX-DR-A-7014 Rev P1 House Type B (3 bed) Proposed Elevations  
Transport Statement Technical Note 17/06/2021  
DWG VN201753-D100 Rev A.

**Pre-commencement conditions:**

**3. No part of the development hereby permitted shall be constructed above ground floor level until details of all external walling and roofing materials have been submitted to and approved by the Local Planning Authority. Only the materials so approved shall be used in the development as approved.**

Reason: To ensure a satisfactory standard of development for the external appearance of the approved scheme which is compatible with the character of the surrounding area, in compliance with the National Planning Policy Framework and Policy DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**4. Details of the siting, height and type of all means of enclosure/screen walls/fences/other means of enclosure shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling(s). Any such walls/fences etc. shall be constructed prior to the approved building being brought into use/occupied. All means of enclosure so constructed shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.**

Reason: To ensure a satisfactory standard of development which is compatible with the character of the surrounding area and safeguard the amenity of neighbouring properties.

**5. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.**

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 8.4 l/s for any storm event.

**The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.**

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 development above ground floor level a scheme providing for the provision of bat boxes on the approved buildings, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be fully implemented prior to the development being brought into use and shall be retained thereafter.**

Reason: In order to provide a biodiversity gain

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

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

**8. Should land affected by contamination be identified under the desktop study condition (7) following site investigations which poses unacceptable risks to human health, controlled waters or the wider environment, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan.**

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

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

**9. Prior to the commencement of development above ground floor level a scheme providing for the provision of bat boxes on the approved buildings, shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be fully implemented prior to the development being brought into use and shall be retained thereafter.**

Reason: In order to provide a biodiversity gain.

**10. Foul and surface water shall be drained on separate systems.**

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

**11. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal painting or fitting out, shall take place before the hours of 0800 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To protect the amenities of the occupiers of nearby properties during the construction period.

**12. No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0800 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays, unless otherwise agreed in writing by the Local Planning Authority.**

REASON: To protect the amenities of the occupiers of nearby properties during the construction period.

**13. Should a remediation scheme be required under condition (8), the approved strategy shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.**

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

**13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported**

**immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All works shall be undertaken in accordance with current UK guidance, particularly CLR11.**

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

