

Allerdale Borough Council
Planning Application OUT/2019/0017
Development Panel Report

Reference Number: OUT/2019/0017

Valid Date: 7/05/19

Location: Beech grove Seaton , Workington

Applicant: Thwaytes, Thwaytes, Rutherford & Warren

Proposal: Outline application for 8 dwellings with all matters reserved except access

RECOMMENDATION

Approve subject to the recommended conditions.

1. Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	<p>The application site is considered to represent a sustainable location for further housing development within the village in compliance with the settlement objectives of Policy S3 of Allerdale Local Plan Part 1 (ALP Part 1) and the updated settlement limits of Policy SA2 of the Allerdale Local Plan Part 2 (ALPP2).</p> <p>The site is well related to the surrounding built development.</p>
Highways	<p>The intensification of the use of the existing vehicular access from the small Beech Grove estate onto Causeway Road is acceptable with no significant adverse impacts on highway safety. The details are acceptable to the Local Highway Authority.</p>
Drainage	<p>This subject represented a key concern within the representations received, prompting the applicant to undertake a detailed flood risk assessment towards adopting an outline drainage strategy</p>

	(including cumulative considerations with the recently approved nearby major housing development on the opposite side of Causeway Road). The submitted details are considered to be acceptable to the Lead Local Flood Authority.
Ecology	Policy S35 seeks to protect and safeguard biodiversity. Assessments were undertaken to establish the ecological value of the site (including a reptile survey) It was concluded the proposal would not have a significant impact on ecology and biodiversity gain can be achieved via planning condition.

2. **Proposal**

- 2.1. The proposal seeks outline consent for the erection of up to 8 houses on an area of land on the south eastern perimeter of the village of Seaton.
- 2.2. The outline application seeks approval of the reserved matter detail of access, specifying a single vehicular access off the cul de sac of Beech Grove, which then links to Causeway Road.
- 2.3. The application is supported by: Ground Investigation Assessment, Ecology Report and Flood Risk/Drainage documents.
- 2.4. The Plans for consideration are:-

60790-01 Rev A Site location plan 24/12/21

Amended plan (60790:10 Rev D) received 9/12/21

Amendment 078467-CUR-00-XX-RP-Z-92001 Rev V01 drainage strategy part 1

Amendment 078467-CUR-00-XX-RP-Z-92001 Rev V01 drainage strategy part 2

Amended Ecological Assessment survey report 11/10/2021

Amended reptile survey report 11/10/21

E-mail dated 9/12/21 confirming reserved matter means of access within the application

3.0 **Site**

- 3.1. The site comprises of an area of open rough pasture land situated to the south western edge of the Beech Grove estate in Low Seaton. A vehicular access road traverses across the site.

- 3.2. An underground watercourse culvert (Gale Brook) also traverses through the north western section of the site. It opens up briefly at the western corner of the site, before returning underground within a further separate underground culvert.
- 3.3. The southern boundary is bordered by properties on Low Seaton, which is a lengthy cul-de-sac. The northern edge abuts the rear gardens of the residential properties on Kelsick Park and Milburn Croft housing estates. A large domestic curtilage belonging to a property in Low Seaton acts as the application sites south western boundary which is segregated by a large hedge.
- 3.4. The site is within close proximity to the centre of Seaton, with its associated services and facilities.

4. **Relevant Planning History**

- 4.1. Following concerns on the suitability of Low Seaton's cul-de-sac highway having the capacity to accommodate additional vehicular traffic, two separate applications (2/2004/0961) and (2/2004/1230), each for a pair of detached dwellings fronting onto Low Seaton highway, were approved and implemented with an alternative and separate new rear access via Beech Grove's estate entrance (which traverses across the current application site). Garaging was provided at the rear of these properties. This approved access corridor was revised and upgraded under application 2/2016/0296, and has recently been completed.
- 4.2. These dwellings were allowed on appeal, with the Inspector including a planning condition requiring the access highway to be built to adoptable standards.
- 4.3. The current proposal's access via Beech Grove estate's junction onto Causeway road is within proximity of a previously approved residential development (2/2017/0277) for 100 houses (in outline), on land to the rear of the British Legion (since demolished), on the opposite side of Causeway Road. However this outline consent was superseded by a revised outline application 2/2018/0493 for the same scale of development in the same locality, but served by an alternative vehicular access via Hill Farm. This outline consent remains extant.
- 4.4. In addition, an outline consent for a small neighbouring site on Camerton Road for 5 dwellings was granted under 2/2017/0278.
- 4.5. A further outline application for 4 dwellings under 2/2017/0279 on the southern side of Camerton Road was refused and dismissed at appeal on the grounds of landscape impact and extension of the village.

5. **Representations**

5.1. **Parish Council**

- 5.2. Object to the development due to the cumulative impact of approved and potential developments on overstretched infrastructure. The parish understands that land from the north feeds the direction of the land proposed to be developed

and flooding occurs on the highway junction of the proposed development. It is understood the land itself acts to soak up this and surrounding drainage and the Parish Council is concerned the proposal will lead to flooding problems. Water drainage into the existing watercourse, which is already a concern for properties adjacent to the route of the watercourse, will increase, exacerbating flooding problems. The Parish Council is also concerned with the additional traffic at the current junction, especially given its propensity to flood. Question whether local residents had been re-consulted on the additional evidence. The Parish reiterated their original objections, following re-consultation on the drainage/ecology information.

5.3. Local Highway Authority/Lead Local Flood Authority

5.4. Consider the proposed shared road is acceptable in principle. Seek as part of the reserved matters the details between the adopted highway at Beech Grove and the new site access. No objections subject to conditions.

5.5. Environmental Protection

5.6. Seek updates to the applicants phase 1 report and seek a Construction Management Plan for the development.

5.7. United Utilities

5.8. No objection regarding foul water and surface water discharge from the site with standard drainage conditions.

5.9. Environment Agency

5.10. No objections. Advise Gale Brook is designated a Main river. A permit will be required for any works within 8m of this watercourse. Any future reserved matters application should account for future repair/maintenance of the watercourse – questioning the indicative layout for plots 3 and 4. They may object to any such future reserved matters application if this is not addressed. The rest of the culverted watercourse is an ordinary watercourse, which will similarly need to account for future maintenance by any riparian owners (e.g. plots 1-4 on the plan).

5.6. The application was advertised on site and in the press.

A total of 16 letters of objection were received. The grounds of objection are summarised as follows:

- Extensions of existing properties not shown on plans – loss of privacy.
- Cumulative traffic generation/impact on roads and junctions (Church Road & Causeway Road) and drainage impact (including Gale Brook) with other large housing proposals in Seaton.
- Cumulative impact with the approved housing estate access junction at the British Legion.

- Question the access arrangements for the existing houses at Low Seaton
- Inadequate road, drainage and education infrastructure.
- The proposal is contrary to Paragraph 109 of the NPPF.
- Impact on residents downstream on Gale Brook- Milburn Croft, Westcroft and Derwent bank, plus Barepot. Need for its remediation along its full length
- For clarity Beech Grove comprises of 9 dwellings which use its entrance.
- Need for a robust drainage strategy.
- Albeit the nearby approved housing estate outline consent 2/2018/0493 revised and revoked the earlier outline consent 2/2017/0277 it does not prevent any further future resubmission for the outstanding sections of the site. Therefore this consent needs to be considered.
- Question whether the culvert traversing across the site is fit for purpose. Need of CCTV assessment.
- Proposal is contrary to policy S29 of ALPP1.
- Lack of details on the type of dwellings on the site.
- The site is not large enough for 8 dwellings.
- Lack of details on the distance from existing dwellings.
- Local knowledge highlights part of the site floods at the lower end in bad weather.
- The size of the access is inadequate for the scale of the development.
- The boundary hedgerow should be retained.
- The site is overgrown and has attracted vermin.
- Loss of light to the bungalows on Beech Grove (seek a restriction for the proposal to be bungalows).
- Structural concerns on future construction works.
- Over-development of the area.
- Disruption will result in loss of health.
- The development and its associated construction disturbance, impact on traffic /flood risk and services is under Allerdale's tagline no longer a "great place to live".
- Better alternative sites for housing exist elsewhere.
- Loss of open green space.
- Too much housing in Low Seaton to the detriment of its rural appeal/village.
- Proposal is contrary to Allerdale local plan's strategic objectives SO1c (inappropriate existing facilities), SO1d (lack of details on access), SO2b (the proposals is not the renewal/repair of empty properties) SO2c and SO2d plus Policy S8 – (no affordable units), SO2e. S7 and S10 (no housing provision for the elderly), SO4a ,SO4b and S22 (re transport objectives re existing journey times and transport infrastructure, inadequate road junctions and the site is served by a solitary access, S32 (individual and accumulative construction disturbance with the other nearby housing approvals), S22 residential amenity of existing houses will be disturbed by traffic, So5e and S29 flood risk and surface water drainage with reference to flooding on and outside the site with Gale brook having finite lifespan of 15-25 years due to its current condition (photo's provided of flooding) which applicable to the entire length of the watercourse with reference to flood maps.-seek a flood risk assessment. Question the details of the 2019 ecology survey-nearby presence of slow worms.

- 5.11. An objection letter was also received from the Workington Flood Action Group. They refer to the Environment Agency's maps with Plots 1-4 being within risk areas. They challenge the findings of the applicant's initial drainage report as to the site's permeability, the contentious details of utilising Gale Brook and the site is in an area at flood risk. The proposal is therefore contrary to Policy S29 of ALPP1. Reference is made to an assessment of the culverts in Barepot which if unattended may be blocked in year 2025 and the Low Seaton culverts may be in a similar state. They contest Gale Brook is hydraulically overloaded with concern that the culverts may collapse. Reference is also made to the other approved housing development which will increase the flow and velocity of water to this site. The Group refer to the loss of the approved turning area for the existing four houses at Low Seaton under the garden of plot 8 and emphasise the site is not within the ALPP2. Consequently, a full Flood Risk Assessment is requested with the need to consult both the Environment Agency and the County Council. The objection will be withdrawn if the applicant agrees to remediate Gale Brook in Low Seaton and fund its realignment in Barepot.

6. Environmental Impact Assessment

- 6.1. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- 6.2. The development does not within Schedule 1 nor 2 and, as such, is not EIA development.

7. Duties

- 7.1. The proposal does not affect the setting of any listed buildings or conservation areas. It would not significantly impact on any Natura 2000 designation (noting the watercourse does constitute a tributary to the River Derwent's SAC).

8. Development Plan Policies

8.1. Allerdale Local Plan (Part 1)

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 S7 - A mixed and balanced housing market
Policy S22 - Transport principles
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 DM14 - Standards of Good Design
Policy DM17 –Trees, hedgerows and woodland

8.2. **Allerdale Local Plan (Part 2)**

Policy SA2 – Settlement limits
Policy SA33 – Broadband
Policy SA52 – Green Infrastructure

The northern strip of the site is designated as a green infrastructure.

9. **Other material considerations**

National Planning Policy Framework (NPPF) (2019)

Allerdale Borough Council Plan 2020-2030

10. **Policy weighting**

- 10.1. 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 (Part 1) 2014 and the Allerdale Borough Local Plan (Part 2) 2020 policies have primacy.

11. **Assessment:**

Principle of development

- 11.1. Policy S5 of the Allerdale Local Plan (Part 1) states that new residential development will be concentrated within the physical limits of Principal, Key and Local Service Centres. Seaton's settlement is included as part of Workington for the purpose of the settlement hierarchy and housing allocation and growth.
- 11.2. Workington (including Seaton) is the Principal Service Centre and the focus for 35% of the housing growth required across the Plan area, where additional, development sites can be supported to sustain housing growth. The Local Plan requires the delivery of at least 5,471 dwellings during the plan period, therefore requiring 1979 dwellings over the plan period (up to 2029) for Workington (including Seaton). The proposed 8 dwellings would make a modest contribution to delivering the identified housing need.
- 11.3. The proposed development site lies within the revised settlement limit for Workington (including Seaton) under policy SA2 of the Allerdale Local plan (Part 2).
- 11.4. The sites of the approved housing developments ref. 2/2017/0277 and 2/2018/0493 have also been incorporated into the revised limits for Seaton under the Allerdale Local Plan (Part 2), thus enabling for the future growth of the village as part of Workington's housing supply.

- 11.5. Local representations emphasise concerns with the scale of housing development in Seaton, and Officers acknowledge that the village benefits from three major housing commitments namely;
- Causeway Road, Seaton (2/2017/0277 and 2/2018/0493) - outline approval up to 100 units
 - Land east of Whitestiles, Seaton, 69 dwellings approved 2/2016/0657
 - Lowca Lane 2/2017/0510 - outline for 41 self-build plots
- 11.6. However, this smaller scheme, should be assessed on its individual planning merits. The Local Plan does not preclude the consideration of windfall sites, where these are within the settlement limits.
- 11.7. The scale of the proposal is small and both individually and cumulatively, it is considered to be acceptable to maintain a sustained growth within the Principal Service Centre of Workington. It is consistent with the aims of the spatial strategy set out in the Allerdale Local Plan (Part 1). Its inclusion within the settlement limits, reinforces that the site is sustainable and well related to the existing settlement pattern of development within the village.
- 11.8. As such, the principle of housing is considered to be acceptable at this location. The site is not considered to make a significant contribution to the character of the settlement in its un-developed state and the scale of development proposed is proportionate to the size of the village, as a sustainable location for future housing development.
- 11.9. The principle of the proposal is therefore considered to be in accordance with Policies S2, S3 and S5 of the Allerdale Local Plan (Part 1) and Policy SA2 of the Allerdale local plan (Part 2).

Layout/ Scale of development

- 11.10. The current outline excludes all reserved matters except access with a single vehicular access from Causeway Road via Beech Grove. The application includes an indicative layout providing for 8 dwellings. As the provision of 8 dwellings is included in the description, it is appropriate to assess whether this is a suitable scale of development, even though matters of layout and scale are reserved. The indicative layout demonstrates that eight dwellings can be accommodated, and it accords well with the immediate character of the village.
- 11.11. The site itself is well related to the existing settlement with built development on three boundaries of the site. The proposal would infill an existing green wedge corridor within the settlement pattern. Whilst the Gale Brook watercourse and its associated culverts do sterilise a corridor of land through the site (thus ensuring its future maintenance) officers consider ample land remains to accommodate the scale of the development proposed. The applications amended plan omits the culvert corridor from the application site.

11.12. The site concerned is bordered by two storey dwellings on Kelsick Park and Low Seaton and bungalows on the neighbouring boundary of Beech Grove. Given this existing mixture it is considered not essential to restrict by condition the scale of the house types for this development.

Landscape and Visual Impact

11.13. Given the constrained nature of the site, there are not considered to be any wider landscape and visual impacts of the proposal, having regard to policies S35 and S32. Policy DM17 seeks to, where possible protect trees which contribute positively to the character of the area.

11.14. The only feature of landscape value is a hedgerow on the western perimeter which is sought to be retained as part of the estates future landscaping. Conditions are also applied to secure the long term maintenance of the undeveloped landscape corridor along the culverted section of Gale Brook. Through consideration of the detailed plans at the reserved matters stage, Gale Brook and its designation as Green corridor can be appropriately considered under policy SA52. A condition reinforces no development within the corridor of the river.

Design and residential amenity

11.15. Policy S32 of the Allerdale local plan (Part 1) seeks to safeguard amenity. These matters will need to be fully considered at the reserved matters stage, when details of layout, scale and appearance are fully considered. The planning considerations concerning any possible loss of light, privacy and amenity to neighbouring residential dwellings can be evaluated as part of this future submission. The onus will be within any future reserved matter application to demonstrate a housing scheme which is sympathetic to the site and surroundings and provides a high standard of housing for future occupiers and safeguards the amenity for existing properties which border the site.

Highway considerations

11.16. Policy S22 of the Allerdale Local Plan (Part 1) outlines the transport considerations for development schemes. The applicant has confirmed that the proposed reserved matter of means of access via Beech Grove is part of the application. The highway considerations represent a key concern within the submitted representations, which was similarly a major issue on the larger housing scheme, now approved.

11.17. Paragraph 111 of the NPPF states "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."

11.18. The previously approved housing development (up to 100 dwellings) on the opposite side of Causeway Road (which included the means of access) incorporated a new vehicular access via the partial demolition of the Royal British

Legion Club (RBL), with a secondary access for pedestrian use and emergency vehicles an existing agricultural access onto Camerton Road. However this consent was superseded by the outline consent 2/2021/0493, which remains extant, and gained an alternative access via Hill Farm onto Causeway Road. Given the location of this access closer to the centre of village and its services and transport infrastructure, it is considered that this access, unlike its predecessor, will substantially lessen any combined traffic movements with the current proposal, within this part of the village.

- 11.19. The existing driveway across the site is built to an adoptable standard. The indicative layout amends the former approved rear access driveway details for the existing four approved dwellinghouses off Low Seaton.
- 11.20. Officers attribute significant weight to the advice of the Local Highway Authority, who raise no objection to the proposal on highway safety grounds.
- 11.21. The details are therefore considered satisfactory in terms of demonstrating acceptable access arrangements for the site.

Drainage

- 11.22. Policy S29 of the Allerdale Local Plan (Part 1) specifies the criteria for consideration of flood risk and surface water drainage.
- 11.23. This subject was a primary source of concern on the earlier approved housing scheme for 100 dwellings (ref.2/2017/0277 and subsequently 2/2018/0493), both of which adopted a surface water drainage strategy utilising the existing upstream culverted section of Gale Brook water course, which traverses beneath Causeway Road and then predominantly underground through the application site itself, prior to being briefly exposed in a short open culvert section in the western corner of the site, before diverting back underground in a separate culvert on the perimeter of the site.
- 11.24. This watercourse falls both under the remit of the Environment Agency and the County's Lead Local Flood Authority (LLFA). This drainage corridor route, which acted as the attenuated means of the surface water drainage for the former consents, proved to be contentious, with reference to localised flooding events along its corridor. The larger housing development was only granted consent upon the applicant providing a detailed surface water drainage strategy to demonstrate that the scale of run off reflected current guidance re: greenfield run off rates with an allowance for climate change (which was the subject of a detailed peer analysis commissioned by the LLFA). Thus, there was no demonstrable increase in flood risk. Furthermore, it also prompted the clearance of blockages within the upper underground culverted sections of the watercourse.
- 11.25. Similar concerns on surface water drainage and flood risk are being raised in this current application. This is further complicated by the fact that part of the application site is recognised as an area known for localised flooding events (including high risk -1 in 30 years). This is confined to the approximate route of

the culvert, with the high risk elements concentrated at both the open section and the access entrance to the Beech Grove estate onto Causeway Road.

- 11.26. As a consequence, Officers, especially in accounting for cumulative impacts with the nearby approved housing development, requested a bespoke, site specific flood risk assessment towards formulating the surface water drainage strategy for the site, with the focus concentrating on the Gale Brook corridor. The assessment considered the flood risk from fluvial/tidal flooding to the site, reservoir flooding (none), groundwater flooding (very low), surface water flooding from the site (low, but surface water flooding to the site, low - high. The latter aspect relates to ponding to a low lying area (approx. 30cm deep) over a limited area and therefore has limited storage volume. The removal of these depressions was considered to have no “discernible impact” on flood risk elsewhere, with much of the site area being developed with managed run off by a formal drainage system.
- 11.27. The report does however recommends some mitigation conditions including; finished floor levels, a landscaped corridor along the route of the culvert and the use of filter drains to the landscaped areas.
- 11.28. The subsequently provided outline surface water drainage strategy accounts for infiltration tests, the availability of the watercourse itself on the site, green field run off rate calculations (for a 1 in 100 year event plus 40% allowance for climate change, 10% allowance for urban creep), allowance for undeveloped areas, adoption of permeable paving etc, future maintenance of the culvert, identification of exceedance routes, levels of land around buildings and SUD’s maintenance plan.
- 11.29. The strategy confirms that consideration has also been given to the cumulative impacts with the larger approved housing development and its restricted discharge rates. The proposal will adopt the same principles as the larger scheme, reducing the flood risk downstream for up to a 100 year event plus an allowance for climate change, concluding the cumulative impacts will not increase flood risk elsewhere.
- 11.30. The submitted information has been evaluated by the LLFA, who accept its findings. Based on this advice, Officers are satisfied that the development will not significantly increase flood risk in the locality individually or cumulatively, complying with the objectives of policy S29 of the Allerdale Local Plan (Part 1).

Ecology

- 11.31. Policy S35 of ALPP 1 seeks to protect and enhance biodiversity. The initial ecology survey was undertaken in 2019. It acknowledged that Gale Brook acts as an important tributary to the river Derwent and its associated SAC designation, thus a construction environmental management plan is recommended including the following measures: silt traps, fencing off the watercourse (5m), adoption of an emergency plan for pollution events, storage of materials in bunded areas, testing of imported soil to the site and planting solely native tree/vegetation species.

11.32. The site itself was considered of low ecological value, especially given its small size, lack of trees and high levels of disturbance. Mitigation measures were recommended to address habitat mitigation and compensation.

11.33. The survey acknowledged the presence of nesting birds which would require mitigation. Similarly a range of mitigation measures were recommended to address any possible amphibians on site, but the existence of Great Crested Newts was considered unlikely. A reptile survey was however recommended in the correct recording season. Bats were considered to be unlikely to roost at the site. Additional measures were recommended (covering of excavations) to minimise any harm to badgers who may occasionally visit the site.

11.34. It was concluded from the survey that the works are unlikely to impact on other protected species: otter, white clawed crayfish, water vole, dormice, red squirrel or botanical or invertebrate species of note. Any other NERC species e.g. hedgehog can be mitigated against.

11.35. The applicant undertook an updated ecological survey 2021, as the resulting delay associated with addressing the various drainage concerns caused the original report to be out of date, plus the original assessment was undertaken in winter months. It concluded the following:

- Bird species – common bird species on site, need for precautionary measures to avoid nesting season and seek seed producing landscaping details to improve foraging opportunities.
- Bats – No significant change since the original survey in 2019 with only foraging/commuting bats, with negligible potential for roosting bats due to the lack of structures and trees.
- Reptiles the nature of the site has the potential as basking habitat for reptiles, prompting a specific reptile survey for the site.
- A bespoke reptile presence/absence survey was undertaken in 2021, comprising of 7 visits. Whilst existing survey records suggest 3 sightings of slow worms in the locality (the nearest being 200m to the north-2011), there are no records from the site itself, and despite its moderate potential, none were found during the survey. (The presence of domestic cats is likely to diminish the likelihood of their presence). It was therefore concluded that the proposal is unlikely to have a significant impact on the population of reptiles, with no need for additional surveys.
- Invertebrates –given the existing cover supporting bees/butterflies, it is recommended meadow and ruderal species be included in the proposed development.
- Other considerations e.g. otters, badgers, otter, red squirrel, and great crested newt, refer to original survey findings with no evidence of activity during the survey.

11.36. The overall conclusion is that there is no significant change since 2019 resulting in the mitigation measures of the original report remaining valid and sufficient to address the requirements of policy S35.

Contaminated Land

11.37. The application was supported by a ground investigation report. Environmental Health have required these be updated and recommend standard conditions safeguarding remediation and verification.

Affordable Housing

11.38. The scale of housing development proposed at eight dwellings and the reduction of the size of the site to exclude the culvert corridor, as a minor development, does not trigger the requirement for the provision of affordable housing under the criteria of the updated NPPF.

Local Financial Considerations

11.39. Having regard to S70 (2) of the Town and Country Planning Act. There are matters regarding the New Homes Bonus Scheme and Council Tax Revenue for the Council. This has carried no weight in the determination.

12. Conclusion

12.1. Each application is judged on its individual merits. The principle of the development is acceptable as a sustainable location within the village which is well related to its surroundings.

12.2. The application site itself has few constraints, but officers acknowledge the existence of the existing culvert traversing through the site and recognise the flood history of the immediate locality, which had prompted local representations, especially in the context of cumulative concerns with the approved housing development for 100 dwellings. This larger development utilises surface water drainage via the existing watercourse of Gale Brook also. Having secured a flood risk assessment/drainage strategy, which takes into account cumulative impacts, the findings have been accepted by the LLFA. Therefore, subject to securing the mitigation measures recommended, with the amended plans omitting the culvert corridor from the application site, it is considered that this issue has been satisfactorily investigated and resolved. Any cumulative highway concerns have diminished as a result of the larger housing scheme being accessed via Hill Farm.

12.3. Officers consider there are no other major constraints impacting on the development of the site. The principle of housing development at this location is acceptable and the proposal is recommended favourably, in compliance with the adopted policies of the Allerdale Local Plan Parts 1 and 2.

Recommendation

That subject to the receipt of amended details omitting the culvert corridor and confirming the inclusion of the reserved matter of means of access as part of the current submission that outline planning permission be approved, subject to the recommended conditions.

Annex 1

Conditions/Reasons

- 1. Prior to the commencement of works, details of the layout, scale and appearance, and landscaping (hereinafter called 'reserved matters') shall be submitted to and approved by the Local Planning Authority.**

Reason: The application has been submitted as an outline application, in accordance with the provisions of the details of the town and country Planning (General Development Procedure) Order 1995.

- 2. Insofar as this decision grants outline permission for residential development of up to 8 dwellings, the development hereby permitted shall be carried out in accordance with the following plans:**

60790-01 REV A Site location plan 24/12/21

Amended plan (60790:10 Rev D) received 9/12/21

Amendment 078467-CUR-00-XX-RP-Z-92001 Rev V01 drainage strategy part 1

Amendment 078467-CUR-00-XX-RP-Z-92001 Rev V01 drainage strategy part 2

Amended Ecological Assessment survey report 11/10/2021

Amended reptile survey report 11/10/21

E-mail dated 9/12/21 confirming reserved matter means of access within the application

Reason: To ensure a satisfactory housing density for the development.

- 3. Insofar as this decision grants outline permission for residential development of up to 8 dwellings, the submission of all reserved matters applications shall be made no later than the expiration of 3 years beginning with the date of this permission and the development shall begin no later than whichever is the later of the following dates:**
 - (a) The expiration of 3 years from the date of the grant of this permission, or**
 - (b) The expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4. Excluding drainage works, no development shall be undertaken within a three metre easement to each side of the route of Gale Brook watercourse, whether that be the open or culverted sections of the watercourse.**

Reason: To enable the future maintenance and management of the watercourse, in the interests of proper drainage and reducing flood risk, in accordance with Policy S29 of the Allerdale Local Plan (Part 1) (July 2014).

Pre commencement

5. **No development shall take place until a detailed surface water scheme has been submitted to and approved by the Local Planning Authority. The detailed surface water drainage scheme shall:**
 - a) **Be in accordance with the broad principles set out in the drainage strategy Amendment 078467-CUR-00-XX-RP-Z-92001 Rev V01 drainage strategy part 1 & 2 Flood risk assessment Statement dated 30th April 2021 proposing surface water into Gale Brook (for the avoidance of doubt, no surface water shall discharge to the public sewerage system either directly or indirectly);**
 - b) **Be in accordance with the Non –Statutory Technical Standards for sustainable Drainage systems (March 2015) or any subsequent replacement national standards;**
 - c) **Set out drainage provision for both developed and undeveloped areas;**
 - d) **Demonstrate that the run-off rate from the site following development shall not exceed 26.99l/s;**
 - e) **Provide appropriate volume of storage up to the 1 in 100 plus climate change event, with the design and capacity of the attenuation being underpinned by updated calculations;**
 - f) **Show flow paths of exceedance routes from a 1 in 100 year plus climate change event so as to demonstrate they will not affect properties on or offsite.**
 - g) **Include details of how drainage infrastructure shall be managed and maintained after completion.**

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution from surface water in compliance with Policy S29 of the Allerdale Local Plan (Part 1) (July 2014).

6. **The carriageway and footways shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections and a footpath link to Beech Grove, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.**

Reason: To ensure a minimum standard of construction in the interests of highway safety.

7. **Prior to development commencing, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:**
 - a) **Traffic Management Plan to include all traffic associated with the development, including on -site parking and turning for site and staff traffic;**
 - b) **Procedure to monitor and mitigate noise and vibration from the construction and demolition and to monitor any properties at risk of damage from vibration, as well as taking into account noise from vehicles, deliveries. All measurements should make reference to BS7445.**

- c) Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution.
- d) Mitigation measures to ensure that no harm is caused to wildlife species during construction.
- e) A written procedure for dealing with complaints regarding the construction;
- f) Measures to control the emissions of dust and dirt during construction and demolition;
- g) Programme of work for Construction phase;
- h) Hours of working and deliveries;
- i) Details of lighting to be used on site.
- j) Appropriate pollution prevention guideline measures to include biosecurity, materials and machinery storage, and mitigation for the control and management of noise, dust, surface water run-off and waste to protect Gale Brook and any surface water drains from sediment, and pollution from cement or fuel.

The approved statement shall be adhered to throughout the duration of the development.

Reason : In the interests of amenity and safeguarding ecological interests and biodiversity in compliance with policies S32 and S35 of the Allerdale Local Plan (Part 1) (July 2014).

8. **No development approved by this permission shall commence until all necessary site investigation works within the site boundary have been 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 the commencement of works.**

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) (July 2014).

During operational works

9. **Where land affected by contamination is found which poses unacceptable risks to human health, controlled waters or the wider environment under condition 8, 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) (July 2014).

- 10. Should a remediation scheme be required under condition 9, the approved strategy shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.**
Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1) (July 2014).
- 11. 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 work shall be undertaken in accordance with current UK guidance, particularly CLR11.**
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) (July 2014).
- 13. Vehicular access to the development site hereby approved shall solely be via the existing access onto Beech Grove estate, Seaton.**
Reason : In the interests of highway safety.
- 14. The development hereby approved shall only be undertaken in full accordance with the recommendations and mitigation measures outlined in the submitted ecological report ref Amended Ecological Assessment survey report dated 11/10/2021.**
Reason : In the interests of safeguarding local wildlife and biodiversity in compliance with Policy S35 of the Allerdale Local Plan (Part 1) (July 2014).
- 15. No residential dwelling shall be constructed above ground level until full details of the layout, maintenance and management of the public open space (the corridor adjacent to Gale Brook watercourse) have been submitted to and approved in writing by the Local Planning Authority. The public open space shall be fully implemented prior to the occupation of the completion dwellinghouse on the site and retained for the lifetime of the development.**
Reason: To ensure the satisfactory provision of open space in accordance with the National Planning Policy Framework and Policies S2, S4, S24, S25, S26 and DM14 and safeguard the future maintenance corridor of Gale Brooks watercourse of the Allerdale Local Plan (Part 1) (July 2014).

Prior to occupation

- 16. No dwelling shall be occupied until the estate road, including footways and cycleways to serve that dwelling, have been constructed in all respects to base course level and street lighting where it is to form part of the estate road, has been provided and brought into full operational use.**

Reason: In the interests of highway safety.

- 17. Prior to the first occupation of each dwelling, details for that dwelling shall be submitted to and approved in writing by the local planning authority of either:-**

- a) Evidence that the applicant will provide onsite access to broadband infrastructure providers during the construction process to allow the providers to install the necessary broadband infrastructure; or**
- b) Evidence, following contact with broadband infrastructure providers, that it is not practicably or viably possible to install broadband infrastructure to achieve superfast (as defined by Government standards) fibre broadband connectivity.**

Reason: To seek to secure sustainable superfast (as defined by Government standards) fibre broadband connectivity in accordance with policy SA33 of the Allerdale Local Plan Part 2 (July 2019).

- 18. Any landscaping scheme submitted at the reserved matters stage shall include retention of the existing hedgerow on the western boundary of the site, together with measures for its protection during the construction of development. All planting, seeding or turfing comprised within any approved landscaping scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality and improve biodiversity in compliance with policy S33 and S35 of the Allerdale Local Plan (Part 1) (July 2014).

