

At a meeting of the Development Panel held in Council Chamber, Allerdale House on Tuesday 14 December 2021 at 1.00 pm

Members

Councillor Tony Annison (Chair)
Councillor Carole Armstrong
Councillor Daniel Horsley
Councillor Paul Scott
Councillor Alan Smith

Councillor Janet Farebrother (Vice-Chair)
Councillor Hilary Harrington
Councillor Elaine Lynch
Councillor Andrew Semple
Councillor Alan Tyson

Apologies for absence were received from Councillor Nicky Cockburn, Councillor Allan Daniels, Councillor George Kemp, Councillor Antony McGuckin and Councillor Ron Munby MBE

Staff Present

S Long, R Wilson, S Brook, K Magnay, J Morgan and L Tomlinson

Also Present

Shamus Giles, Highways, Cumbria County Council.

310. Minutes

The minutes of the meeting on 23 November 2021 were signed as a correct record.

311. Declaration of Interests

Councillor D Horsley declared an interest in Agenda item 9, OUT/2019/0017 as Seaton Ward Councillor and would be speaking on the application.

312. Questions

None received.

313. VAR/2020/0009 - Lowmoor Road, Wigton - Variation of condition 6 on approved application 2/2016/0249

Representations

Jim Ford, Pamela Batley and Sandra Hodgson spoke in objection to the application.

A letter was read out on behalf of Ian and Denise Scott.

The Agent, David Wright spoke in support of the application.

Application

The Senior Planning Officer, Sara Brook recommended approval subject to verification of the visibility splay for Plot 1, grant planning permission subject to conditions and to include correction to a typo for condition 10 word 'drainage' missing and the signing of a Deed of Variation to ensure that the contributions secured under the original outline approval are tied to the implementation of this permission.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows:

- Removal of mini-roundabout

The Highways Authority has raised no objection to the alternative provision of a T junction access to the site as shown within Reserved Matters application RMA/2019/0015.

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

Following member discussions Councillor J Farebrother proposed to accept approval as per the Officers recommendations.

Councillor T Annison seconded.

A vote was taken; 5 voted in favour of approval, 5 against.

The Chair gave the casting vote making it 6 in favour.

The motion in favour of approval was carried.

Decision

Approved

Conditions:

- 1. Before any works commence details of the layout, scale and appearance, access 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 (Development Management Procedure) Order 2015.

- 2. The development hereby permitted shall be carried out in accordance with the following plans:
SS011-LP Site Location Plan
Ecological Appraisal
Ecological update received 2 August 2016
Flood Risk Assessment & Outline Drainage Strategy**

Transport Statement
Transport Statement Addendum received 7 July 2016
Geophysical Survey Report
Phase 1 Geo-Environmental Site Assessment

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.

3. **The submission of all reserved matters applications shall be made no later than 7 February 2020 and the development shall begin no later than whichever is the later of the following dates:**
 - (a) 7 February 2020, 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 Sections 91 and 92 of the Town and Country Planning Act 1990.

4. **Any application for reserved matters of layout shall include plans showing the following:**
 - (a) Cross sections through the site;**
 - (b) Details of existing and proposed ground levels;**
 - (c) Proposed finished floor levels of buildings;**
 - (d) Levels of any paths, drives, garages and parking areas;****and the development shall be carried out in accordance with the details so approved.**

Reason: To ensure that the works are carried out to a suitable level in relation to the adjoining properties and highways and in the interests of visual amenity.

5. **The carriageway, footways, footpaths, cycleways etc. shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before any part of the development hereby permitted is commenced. 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 completed.**

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

6. **A frontage footway and its links to the footway on the northern side of Lowmoor Road shall be designed, constructed, drained and lit to a suitable standard and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before any part of the development**

hereby permitted is commenced. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is completed.

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

- 7. The development shall not commence until visibility splays at each point of access, providing clear visibility of 2.4 metres by 70 metres as measured down the centre of the access(es) or access road and the nearside channel line of the major road have been provided at the junction of each access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure or object of any kind shall be erected or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splays which exceed 1 metre in height and obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.**

Reason: To ensure a satisfactory means of access for the development during the construction and operational use of the site, in compliance with the National Planning Policy Framework and Policy S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

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

Reason: In the interests of highway safety.

- 9. No dwelling shall be occupied until its access and parking arrangements (in accordance with the County Councils parking guidelines) have been constructed. Any such access and or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior consent of the Local Planning Authority.**

Reason: To ensure that proper access and parking provision is made and retained for use in relation to the development.

- 10. No development shall commence until full details of the surface water system demonstrating that no flooding will occur on any part of the site for a 1 in 30 year event unless designed to do so, flooding will not occur to any building in a 1 in 100 year event plus 40% to account for climate change, and where reasonably possible flows resulting from rainfall in excess of a 1 in 100 year 6 hour rainfall event are managed in conveyance routes (plans of**

flow routes etc.) have been agreed in writing with the Local Planning Authority.

Reason: To manage flood risk within the development that results from surface water to minimise the risk to people and property, in compliance with the National Planning Policy Framework and Policies S2 and S29 of the Allerdale Local Plan (Part 1), Adopted July 2014.

11. **The drainage for the development hereby approved, shall be carried out 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. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. Prior to the occupation of any dwelling the drainage scheme shall be completed in accordance with the approved details.**

Reason: To ensure a satisfactory form of development and to prevent undue increase in surface run-off and to reduce the risk of flooding from the development, in compliance with the National Planning Policy Framework and Policies S29 and S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

12. **Prior to any works being constructed above ground floor level a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:**
- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Resident's Management Company; and**
 - b) Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operations costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.**
- The development shall subsequently be completed, maintained and managed in accordance with the approved plan.**

Reason: To manage flooding and pollution and to ensure that a managing body is in place for sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

13. **No development shall take place until a Construction Method Statement and Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:**
- (a) Traffic Management Plan to include all traffic associated with the development, including site and staff traffic, off-site parking, turning, formation of the construction compound and access tracks and any area of hardstanding;**
 - (b) Details of the construction vehicle routing and the scheduling and timing of movements avoiding school opening and closing times and temporary warning signs;**
 - (c) The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;**
 - (d) Post-construction restoration/reinstatement of the working areas;**
 - (e) Access gates will be hung to open away from the public highway no less than 10m from the carriageway edge and shall incorporate visibility displays;**
 - (f) 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.**
 - (g) Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution;**
 - (h) A written procedure for dealing with complaints regarding the construction or demolition;**
 - (i) Measures to control the emissions of dust and dirt during construction and demolition (including any wheel washing facilities and cleaning of the site entrances and the adjacent public highway);**
 - (j) Programme of work for Demolition and Construction phase;**
 - (k) Hours of working and deliveries;**
 - (l) Details of lighting to be used on site.**
 - (m) Highway signage / Haulage routes. The approved statement shall be adhered to throughout the duration of the development.**

Reason: In the interests of safeguarding the amenity of the occupiers of neighbouring properties during the construction works of the development hereby approved, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014 and in the interests of highway safety.

14. **Further to the Phase 1 Geo Environmental Site Assessment ref 10-963-r1 all necessary Phase 2 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.

15. **Should land affected by contamination be identified under the desk top study under condition 14 be found 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.

16. **Should a contamination remediation scheme be required under condition 15, 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), Adopted July 2014.

17. **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.

18. **The works shall be implemented solely in accordance with the mitigation/recommendations outlined in Section 6 of the Ecological Appraisal dated 25 January 2016 and the further ecological appraisal received 2 August 2016.**

Reason: To safeguard the habitat of bats in compliance with the National Planning Policy Framework, Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014 and Policy E34 of the Cumbria and Lake District Joint Structure Plan, 2001-2016 (Saved).

314. RMA/2019/0015 - Lowmoor Road, Wigton - Residential development and associated infrastructure

Representations

Jim Ford and Pamela Batley spoke in objection to the application.

Letters were read out on behalf of Phil Hayward and Iain Green.

The Agent, David Wright spoke in support of the application.

Application

The Senior Planning Officer, Sara Brook recommended approval subject to the conditions and the revised description (to include ref to approved application VAR/2020/0009 Item 5), update to draft condition 2 to include amended Site Plan as Proposed Rev P (1739-PL216) two extra conditions to cover Surface water management during construction and additional boundary treatment to western boundary where proposed footpath passes The Barn.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows;

- Principle

The principle of the development has already been agreed when outline planning permission 2/2016/0249 was granted for residential development of the site.

- Access

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.

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.

A separate application has been made and is being considered concurrently to vary condition 6 – to remove reference to a mini-roundabout.

- Layout, Scale, Appearance and Landscaping

The detailed design of the scheme is considered to be acceptable following the negotiation of amended plans.

- Residential Amenity

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.

- Biodiversity

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.

- Amenity Greenspace/Children's Play Space

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.

- Affordable Housing Provision

The reserved matters scheme provides for 10% affordable housing for discounted sale. This is less than the policy compliant amount of 20% secured by legal agreement at the outline stage.

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.

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

Following members discussion, Councillor J Farebrother proposed to accept the officer's recommendations.

Councillor E Lynch seconded.

A vote was taken; 5 voted in favour of approval, 5 against.

The Chair gave the casting vote making it 6 in favour.

The motion in favour of approval was carried.

Decision

Approved

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 16th April 2021

Amended Affordable Housing Plan – Amended plan received 5th August 2021

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

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

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

Bow Top Fencing specification

DWG SD700A - Single Garage Details

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

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

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

Dwg 201-301-REN 201-301 Render Variant - Amended plan received 16th April 2021

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

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

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

Dwg 302- REN - 302 Elevation Render Variant - Amended plan received 16th April 2021

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

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

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

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

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

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

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

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

Dwg 350 REN 350 Render Variant- Amended plan received 16th April 2021

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

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

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

Dwg 351-REN House Type 351 Render Variant – Amended Plan received 21st October 2021

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

Dwg 353-REN – 353 Render Variant - received 21st October 2021

Dwg 353 1/A House Type 353 Floor Plans - received 21st October 2021

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

Dwg 435-REN – 435 Elevation Render Variant - Amended plan received 16th April 2021

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

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

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

Dwg 454 – REN 454 Elevation in Render Variant- Amended plan received 16th April 2021

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

Dwg K36669/A1/116 Proposed Exceedance Route Details – 13th October 2021

Dwg K36669-A3-200 S104 DEED OF GRANT PLAN - Amended plan received 16th April 2021

Dwg K36669-A1-204 S104 FW LONGITUDINAL SECTIONS - Amended plan received 16th April 2021

Dwg K36669-A1-206 S11 FLOW CONTROL DETAILS - Amended plan received 16th April 2021

Dwg K36669-A1-205 S13 FLOW CONTROL DETAILS - Amended plan received 16th April 2021

Dwg K36669-A1-207 S04 FLOW CONTROL DETAILS - Amended plan received 16th April 2021

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

Dwg K36669-A1-107C DETENTION BASIN DETAILS SHEET 2 OF 2 - Amended plan received 16th April 2021

Dwg K36669-A1-110B SW PIPE NETWORK & MANHOLE SCHEDULE - Amended plan received 16th April 2021
Dwg K36669-A1-100B CATCHMENT PLAN - Amended plan received 16th April 2021
Dwg K36669-A1-108A GENERAL DRAINAGE CONSTRUCTION DETAILS - Amended plan received 16th April 2021
Dwg K36669-A1-121 FOUNDATION KEY PLAN AND SCHEDULE A1L 1 OF 2 - Amended plan received 16th April 2021
Dwg K36669-A1-122 FOUNDATION KEY PLAN AND SCHEDULE A1L 2 OF 2 - Amended plan received 16th April 2021
Dwg K36669-A1-202 S104 SW LONGITUDINAL SECTIONS 1 OF 2 - Amended plan received 16th April 2021
Dwg K36669-A1-203 S104 SW LONGITUDINAL SECTIONS 2 OF 2 Amended plan received 16th April 2021
Dwg K36669-A1-111B FW PIPE NETWORK & MANHOLE SCHEDULE - Amended plan received 16th April 2021
Dwg K36669-A1-103A HIGHWAY LONG SECTIONS 1 of 3 - Amended plan received 16th April 2021
Dwg K36669-A1-104A HIGHWAY LONG SECTIONS 2 of 3 - Amended plan received 16th April 2021
Dwg K36669-A1-105A HIGHWAY LONG SECTIONS 3 of 3 - Amended plan received 16th April 2021
Dwg K36669-A1-115 S38 HIGHWAYS ADOPTION PLAN - Amended plan received 16th April 2021
Dwg K36669-A1-112A EXTERNAL WORKS LAYOUT Amended plan received 16th April 2021
Dwg K36669-A1-113A EXTERNAL WORKS CONSTRUCTION DETAILS 1 OF 2 - Amended plan received 16th April 2021
Dwg K36669-A1-114A EXTERNAL WORKS CONSTRUCTION DETAILS 2 OF 2 - Amended plan received 16th April 2021
Dwg K36669-A1-102B HIGHWAY LEVELS PLAN - Amended plan received 16th 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 16th 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.

Councillor Harrington left the meeting

An automatic adjournment applies after three hours unless members vote to continue, a vote was taken and all members voted to continue for a further hour, following which they voted to complete one more item

315. FUL/2021/0067 - Princess Street - Mixed use development retail, apartments, houses

Representations

Brenda Willis and Harry Branney spoke in objection to the application.

Letters were read out on behalf of Derek Stephenson, Terry Johnston and Rob Goldwater.

Councillor Will Wilkinson, Ward Councillor for St Michael's spoke against the application.

Jane Martin spoke on behalf of the applicant.

Application

The Senior Planning Officer Rebecca Wilson recommended to grant the application subject to planning conditions. Members were advised that condition 6 and 9 were duplicated and therefore condition 9 would be removed. Members were also advised that a signing of a section 106 agreement to secure a sum of £6'000.00 to cover a traffic regulation order would need to be agreed.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows;

- 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.

Councillor Lynch left the meeting.

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

Following member discussion in relation to traffic generation and highway safety Councillor T Annison moved a motion to defer the application in order to get more clarification on all the parking aspects from County Council and the Agent and for members to visit the site along with County Council and the officers.

A vote was taken: 7 voted in favour to defer the application, 1 against.

The motion was carried to defer the application and carry out a site visit.

Decision

Deferred

316. FUL/2021/0286 - 32 Wilson Street, Workington - Window replacements to UPVC

Representations

The Agent, Richard Lindsay spoke in support of the application.

Application

The Senior Planning Officer, Steve Long recommended refusal.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows;

- Heritage

The proposal relates to a commercial property situated within the Workington Conservation Area. The application seeks to replace

traditional timber sliding sash single glazed windows with UPVC double glazed sliding sash windows at first and second floor.

The application property and the majority of other properties within Wilson Street retain their original window design and timber materials, including to windows, doors and commercial shopfronts; a large number of windows are timber mutli-framed single glazed sliding sash.

Officers consider that the proposed uPVC material and quality of the framing would be prominent at this location given the building abuts the street and would not adequately replicate the existing timber framing. It would appear incongruous, failing to preserve or enhance the character and appearance of the designated conservation area on Wilson Street.

There will be consequent harm to the significance of this designated heritage asset which is not outweighed by any public benefits.

The proposal is therefore considered unacceptable, contrary to the criteria prinically of Policy S27 of the Allerdale local plan (Part 1) and advice contained within the National Planning Policy Framework.

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

Following member discussion Councillor A Smith moved a motion to agree UPVC in principle subject to Officers agreeing suitable sympathetic design. If no agreement met, then application would need to come back to panel.

Councillor A Annison seconded.

A vote was taken: 8 voted in favour

Decision

Approved in principle

317. OUT/2019/0017 - Land at Beech Grove, Low Seaton - Outline application for 8 dwellings

Item deferred until 18 January 2022

The meeting closed at 6.07 pm