

Allerdale Borough Council

Planning Application FUL/2021/0299

Development Panel Report

Reference Number: FUL/2021/0299
Valid Date: 22/11/2021
Location: Land West of St Andrews View, Thursby
Applicant: David Haywood, Story Homes Ltd
Proposal: 67 residential dwellings with associated open space, infrastructure, landscaping and ancillary works including temporary construction access

RECOMMENDATION

Grant, subject to conditions and the signing of a legal agreement to secure

- the 13 affordable housing (7 units for affordable rent, 3 Starter Homes and 3 low cost housing),
- a Travel Plan Monitoring Contribution of £6,600.

1. **Summary**

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	The application site is within the settlement limits of Abbeytown as defined in the Allerdale Local Plan Part 2 and is a 'Housing Commitment'.
Benefits of the proposal	<p>The provision of 67 houses would contribute to strategic objective SO2c of the ALPP1, which seeks to ensure a deliverable supply of housing land that meets the needs of the community and local economy, as well as the Council Plan in terms of strengthening our economy and supporting the development of new homes where they are needed.</p> <p>The additional affordable houses to be provided by the proposal would increase access to affordable housing in the Borough, in accordance with strategic objective SO2d of the ALPP1.</p>

Balanced and mixed communities including affordable and accessible homes	The development is for 67 dwellings comprising: 6 x 5 bedroom; 35 x 4 bedroom; 16 x 3 bedroom and 20 x 2 bedroom (3 of these are bungalows). 13 affordable dwellings are proposed. The housing mix is considered to be acceptable.
Scale, Layout, Design and Materials	The scale and layout is acceptable for this development site with the design and materials responding to the character of the built environment and on site constraints.
Sustainability, Vehicular Access and Highway Safety	The highway arrangements are acceptable. Suitable visibility splays can be provided to allow for a safe vehicular access. Parking standards are met.
Flooding / Drainage	The development secures an acceptable scheme for the disposal of foul and surface. The foul will connect to the existing pumping station before entering the public sewer, with surface water draining to the existing SuDs pond to the north of the site, before directed to the watercourse at a controlled rate.
Noise	The existing noise from the wind turbine and road traffic from the A595 would not lead to unacceptable living conditions of the dwellings subject to appropriate mitigation measures.
Shadow Flicker	The impacts from shadow flicker from nearby wind turbines would not lead to unacceptable living conditions of the dwellings.
Heritage / Archaeology	The County Archaeologist has highlighted that the site is of some archaeological interest. A further investigation of the site should be undertaken and this can be controlled by condition.
Landscape and Visual Effects	The development will not have a significant adverse visual impact on the landscape and amenity and will be seen in line with the existing built development.

	There will also be hedgerow and tree planting proposed as part of the scheme. There will be a visual change for nearby dwellings however the change is deemed acceptable and will not have a significant impact on neighbouring residential amenity by virtue of overlooking or loss of light.
Play Provision / Amenity Greenspace	<p>The developer has provided amenity green space throughout the development in line with the SPD.</p> <p>A play area is to be provided on site, with a pedestrian link to the phase 1 development. The size is in line with those stated on the SPD and the siting is considered acceptable.</p>
Ecology / Biodiversity Enhancements	<p>A suitable Ecological Appraisal has been provided for the proposal along with soft landscaping plans.</p> <p>The proposal will see existing trees retained and landscaping increased throughout the site to encourage a wider variety of wildlife to use the site.</p>

2. Proposal

- 2.1. The application is for a housing development within the settlement limit of Thursby. The village is a Local Service Centre within Allerdale Local Plan Part 1 (ALLP1). The applicant seeks full permission for 67 dwellings comprising of a mix of 2, 3, 4 and 5 bed semi-detached and detached 2 storey dwellings and 3 bungalows on this 3.43 hectare site (8.58 acres). The proposed scale of the development is 31 dwellings per hectare.
- 2.2. Details have been provided of the design and layout, elevation treatments and materials, road access and highway works, house types and tenure, external works, hard and soft landscaping, boundary treatments, parking arrangements and drainage strategy. The scheme is further supported by a Design and Access Statement, Transport Statement, Travel Plan, Flood Risk Assessment, Construction Management Plan, Ecology Report, Ground Investigation Report, Archaeological Reports, Heritage Statement and Landscape Visual Impact assessment.
- 2.3. The Plans for consideration are:-

Amended 20091.90.9.SL.LP Revision A Location Plan 21.03.2022

Amended 20091.90.9.SL.CL Rev C Site Layout Colour Layout 21.03.2022

Amended 20091.90.9.SL.GA Rev B Site Layout General Arrangements
21.03.2022
210920-THURSBY-SH-TOPO-001 Revision B Topographical Survey
Amended 20091.90.9.SL.ET Rev B Site Layout Elevation Treatment 21.03.2022
Amended 20091.90.9.SL.HS Revision B Site Layout Hard Surfaces 21.03.2022
Amended 20091.90.9.SL.PP Revision B Site Layout Parking Provision
21.03.2022
Amended 20091.90.9.SL.BT Revision C Site Layout Boundary Treatments
21.03.2022
Amended SD100-A-001 Revision A External Plot Finishes – High Open Boarded
Fence 19.01.2022
Amended SD100-A-002.1 Revision A External Plot Finishes – Open Boarded
Timber Side Gate Details 19.01.2022
Amended SD100-A-002.2 External Plot Finishes – High Feather Edge Board
Timber Side Gate Details 19.01.2022
Amended SD100-A-004 Revision A External Plot Finishes – High Feather Edge
Fence 19.01.2022
Amended SD100-A-005 Revision A External Plot Finishes – Acoustic Fencing
19.01.2022
Amended SD100-A-012 External Plot Finishes – Trip Rail 19.01.2022
Amended SD100-B-001 Revision A External Plot Finishes – Brick Boundary Wall
19.01.2022
Amended SD100-C-001 External Plot Finishes – Estate Railing 19.01.2022
Amended SD100-C-002 External Plot Finishes – 1200mm Plain Top Railing
19.01.2022
Amended SD100-C-003 External Plot Finishes – 900mm Plain Top Railing
19.01.2022
Amended SD100-C-004 External Plot Finishes – Rail and Post fixing to masonry
wall 19.01.2022
Amended SD100-C-005 External Plot Finishes – SUDS Fencing 19.01.2022
Amended SD100-D-001 External Plot Finishes – Stock Proof Fence 19.01.2022
Amended 20091.90.9.SL.ML Revision B Layout Management Layout 21.03.2022
Amended 20091.90.9.SL.SS Revision A Site Layout Site Sections 11.02.2022
Amended 7628/07 Revision H External Works Layout 21.03.2022
Amended 20091.90.9.SL.ASSD Revision B Site Layout Affordable & Space
Standard Distribution 21.03.2022
Amended SHTP2-WW01 Revision J Landscape Plan 21.03.2022
Amended SHTP2-WW02 Revision J Landscape Management Plan 29.03.22
Amended 7628-PO1 Revision C Proposed Drainage Layout 11.02.2022
Amended 20091.90.9.SL.CSWMP Revision D Construction Surface Water
Management Plan 21.03.2022
Amended 7628/01 Revision H Proposed Drainage Layout 21.03.2022
Amended 20091.90.9.SL.LOP Revision B Land Ownership Plan 21.03.2022
Amended BFD-PLP1 Revision A Branford M4(2)S Planning Layout 1 11.02.2022
Amended BFD-PLE1/1 Revision B Branford M4(2)S Planning Elevation 1/1
11.02.2022
Amended BFD-PLE1/2 Revision B Branford M4(2)S Planning Elevation 1/2
11.02.2022
Amended MTN-PLP1 Revision B Masterton (A) Planning Layout 1 11.02.2022

Amended MTN-PLE1/1 Revision D Masterton (A) Planning Elevation 1/1
11.02.2022
MTN-PLE1/2 Revision D Masterton (A) Planning Elevation 1/2 11.02.2022
Amended SAN-PLP1 Revision C Sanderson (A) Planning Layout 1 11.02.2022
Amended SAN-PLE1/1 Revision C Sanderson (A) Planning Elevation 1/1
11.02.2022
Amended SAN-PLE1/2 Revision C Sanderson (A) Planning Elevation 1/2
11.02.2022
Amended FFD-PLP1 Revision B Fulford M4(2)S Planning Layout 1 21.03.2022
Amended FFD-PLE1/1 Revision B Fulford M4(2)S Planning Elevation 1/1
21.03.2022
Amended FFD-PLE1/2 Revision B Fulford M4(2)S Planning Elevation 1/2
21.03.2022
Amended WXD-PLP1 Revision B Wexford M4(2)S Planning Layout 1 (Front)
11.02.2022
Amended WXD-PLE1/1 Revision B Wexford M4(2)S Planning Elevation 1/1
(Front) 11.02.2022
Amended WXD-PLE1/2 Revision B Wexford M4(2)S Planning Elevation 1/2
(Front) 11.02.2022
Amended SPR-PLP1 Revision C Spencer (A) Planning Layout 1 11.02.2022
Amended SPR-PLP2 Revision C Spencer (A) Planning Layout 2 11.02.2022
Amended SPR-PLE1/1 Revision D Spencer (A) Planning Elevation 1/1
11.02.2022
Amended SPR-PLE1/2 Revision D Spencer (A) Planning Elevation 1/2
11.02.2022
Amended SPR-PLE2/1 Revision D Spencer (A) Planning Elevation 2/1
11.02.2022
Amended SPR-PLE2/2 Revision D Spencer (A) Planning Elevation 2/2
Amended PRN-PLP1 Revision D Pearson (A) Planning Layout 1 11.02.2022
Amended PRN-PLE1/1 Revision D Pearson (A) Planning Elevation 1/1
11.02.2022
Amended PRN-PLE1/2 Revision D Pearson (A) Planning Elevation 1/2
11.02.2022
Amended HWN-PLP1 Revision B Hewson (A) Planning Layout 1 11.02.2022
Amended HWN-PLE1/1 Revision D Hewson (A) Planning Elevation 1/1
11.02.2022
Amended HWN-PLE1/2 Revision D Hewson (A) Planning Elevation 1/2
11.02.2022
BKF-PLP1 Beckford M4(3)S Planning Layout 1
BKF-PLE1/1 Beckford M4(3)S Planning Elevation 1/1
BKF-PLE1/2 Beckford M4(3)S Planning Elevation 1/2
BKF-PLP2 Beckford M4(3)S Planning Layout 2
BKF-PLE2/1 Beckford M4(3)S Planning Elevation 2/1
BKF-PLE2/2 Beckford M4(3)S Planning Elevation 2/2
RFD-PLP1 Revision A Rushford M4(2)S Planning Layout 1
RFD-PLE1/1 Revision A Rushford M4(2)S Planning Elevation 1/1
RFD-PLE1/2 Revision A Rushford M4(2)S Planning Elevation 1/2
NWF-PLP1 Newford M4(3)S Planning Layout 1
NWF-PLE1/1 Newford M4(3)S Planning Elevation 1/1
NWF-PLE1/2 Newford M4(3)S Planning Elevation 1/2

GB-PLP1/1 Revision B Single Garage 1 Planning Drawing 1/1
GB-PLP1/2 Revision B Single Garage 1 Planning Drawing 1/2
GB-PLP2/1 Revision B Double Garage 1 Planning Drawing 2/1
GB-PLP2/2 Revision B Double Garage 1 Planning Drawing 2/2
GB-PLP3/1 Revision A Twin Garage 1 Planning Drawing 3/1
GB-PLP3/2 Revision A Twin Garage 1 Planning Drawing 3/2
Material Schedule
Design and Access Statement
Amended Arboricultural Impact Assessment February 2022 11.02.2022
Amended Construction and Environmental Management Plan Revision A
11.02.2022
Amended Noise Report 11.02.2022
Shadow Flicker Assessment received 31.03.2022
Appendix A – Shadow Flicker Output Map Figure 1 received 11.02.2022
Appendix B – Detailed Shadow Flicker Times at Receptors received 11.02.2022
Letter from Neo Environmental Ltd Shadow Flicker received 18.03.2022
Amended Transport Assessment 18.02.2022
Supporting Statement Transport Issues 23.02.2022
Flood Risk Assessment Report and Addendum report
Economic Benefits Statement
Preliminary Ecological Report
Ground Investigation Report
Travel Plan Framework Report
Archaeological Desk-Based Assessment and Geophysical Survey
Archaeological Assessment 2
Heritage Statement
Rev. A 20.04.21 Landscape Maintenance & Management Plan
Outline Landscape and Visual Impact Appraisal including Appendix 1 Photo
Analysis

3. Site and Surroundings

- 3.1. The site is currently an agricultural field located on the western periphery of the village of Thursby. The site is located approximately 6.45km to the south-west of Carlisle, 3.8km to the west of Dalston and 5.8km to the north of Wigton.
- 3.2. The site comprises a single field parcel and is bound to the east by the Story Homes residential development of 69 dwellings known as St Andrews View (often referred to as Phase 1 and completed Summer 2019), to the south by a species poor hedgerow with a grass verge plus street lighting along the adopted highway known as Low Road, to the west by the A595 road that connects Carlisle to West Cumbria, and to the north by the existing SUDS pond serving St Andrew's View development.
- 3.3. There is a gentle downward sloping south-west to north-east gradient on the land towards Matty Beck, and a small mound in the middle of the site. The A595 to the west of the site sits slightly higher than the site.
- 3.4. A 74m high (to blade tip) wind turbine lies approx. 280m to the south-west of the site and is clearly visible from the site and the surrounding area.

- 3.5. The village of Thursby offers a number of services such as a public house, primary school, public transport, village hall and church.
- 3.6. The site is allocated for residential development in Policy SA29 of the Allerdale Local Plan Part 2, adopted July 2020.

4. Relevant Planning History

- 4.1. 2/2016/0070 Housing development for 69 dwellings – Approved 12/09/2016. Development Built.

5. Representations

Thursby Parish Council

24.02.2022

- 5.1. We welcome development within Thursby Parish which brings with it an amount of affordable-social-rented accommodation, but not at the cost of unacceptable harm or wellbeing to its occupants and surrounding resident's policy SA29.
- 5.2. Many of the objections forwarded regarding Phase 1 St Andrews View are relevant to this application but in greater detail namely safety.
- 5.3. The planning inspectorate report on the examination of the Allerdale Local Plan (Part 2) Site Allocations document page 11 policy SA29 requires further clarification to demonstrate how appropriate transport improvements to the A595 at the junction with Low Road have been considered as part of the development at Land to the west of Matty Lonning Thursby. The advice given by the County Council requesting a traffic assessment be carried out in order to assess the transport improvements required in the interest of highway safety (MM28). This request was never completed for Phase 1 (St Andrews View).
- 5.4. No traffic assessment has been carried out for this application.
- 5.5. Cumbria County Council a consultee Local Highways response are requesting due to the increased right turn traffic movement off the A595 into Thursby that a Right-Hand Ghost turn off the A595 be installed.
- 5.6. We welcome the second access (making the sale access permanent) however we have concerns relating to highway junctions and proposed walk/cycle route all converging around the proposed play area.
- 5.7. We also have concerns relating to the 30mph speed limit mentioned in the Local Highway Authority response document this we requested for phase 1 but 60mph was brought down to 40mph. In view of the pedestrian walking. We request a 20mph speed limit be but in place on Phase 1 and 2.

- 5.8. S19 seeks to protect local residents from unacceptable harm. We have reservations regarding the accuracy of the noise survey as this was carried out over a 24hr period and the turbine noise has not been considered.
- 5.9. We note the extent of the modifications required to a large number of the proposed dwellings to ensure compliance with permitted noise levels i.e. PIVs and glazing and question under S19 unacceptable harm and mental health.
- 5.10. The flicker created by the turbine is reliant on turbine speed and the height of the sun. We are concerned about the amount of effected proposed properties and the accuracy of the supplied survey document.
- 5.11. We have concerns in line with the Housing Response from Allerdale Borough Council that in line with the 2016 Housing Study the correct mix of required properties are not being provided to meet the needs of the ageing population in Thursby and adjoining parishes.
- 5.12. We have ongoing concerns regarding the sewerage treatment plant and its discharge into Matty Beck during heavy rainfall. The units capability to cater for a further 67 properties being questionable. United Utilities response is unclear.
- 5.13. We would also suggest the play area be moved to the centre grassed area within the proposed development.
- 5.14. Concerns about the 2m Acoustic Bund running parallel with the A595 in line with the world health recommendations a higher bund is required.

22.12.2021

- 5.15. This site was originally rejected on the grounds of close proximity to the A595 and the Wind Turbine.

Health

- 5.16. Noise/Air Quality.

Noise

- 5.17. Close proximity to the A595. Close proximity to the Wind Turbine (just outside the agreed measurements)

Air Quality

- 5.18. Close Proximity to the A595.

Density

- 5.19. The original Proposed Plan - 40 houses (Allerdale Local Plan Part 2). FUL/2021/0299 is for 67 houses. Object to the increased number of houses on density.

Safety – Motor vehicle access

- 5.20. It is proposed to use the existing exit/entrance on Bouch Way for the Phase 2 Development (67 houses) which is already established for the Phase 1 Development (69 houses), therefore only the one exit/entrance for the 2 developments.
- 5.21. There will be a safety problem on the Dundraw Lane/Bouch Way corner/junction when motor vehicles and pedestrians need to use this cross over to continue on to exit/enter the 2 developments.
- 5.22. Pedestrians consist of adults and senior school children making their way to the village green to catch the necessary bus. Mothers with pushchairs and children making their way to the Junior School in Thursby village.
- 5.23. Low Road is a 40 mile per hour speed limit, and pedestrians need to use the pavements on the development safely at the Dundraw Lane/Bouch Way corner/junction.
- 5.24. Could the spur at Dundraw Lane be a footpath only to allow pedestrians access only, no motor vehicle access.
- 5.25. FUL/2021/0297 is a Story Homes Planning Application for a temporary Sales Access for the proposed Phase 2 development.
- 5.26. There is also an Emergency Access proposed for the Phase 2 development.
- 5.27. Could one of these accesses be considered as a permanent arrangement for motor vehicles (residents, visitors and delivery vans).
- 5.28. Also the planning application does not follow Allerdale's local plan key recommendations [3.179, 3.180-3.182] and insufficient assessments have been completed as part of this application ignoring the well-being of phase 1 residents as well as not fulfilling their contractual obligations for the western boundary for phase 1.
- 5.29. Noise assessment conducted at a time when covid restrictions and public avoidance were high on the national agenda, and which impacted upon travel, movements and volumes of traffic. This was reflected in lower levels of traffic using the A595. Even so there were noise issues identified within the application.
- 5.30. There is no model of noise assessment which estimates the increased impact of noise on current residents living in that area, resulting from additional vehicles using Bouch Way and the intended Dundraw Lane entrance, combined with current A595 and wind turbine noise.

- 5.31. Noise levels would be reduced for residents of Bouch Way and Dundraw Lane with a separate entrance for Phase 2 as would less housing development.
- 5.32. The applicant has submitted traffic assessments in which covid restrictions have been used as rationale for not gathering information yet submits a noise assessment gathered when covid was high on the national agenda and having significant impact on movement.
- 5.33. Noise pollution for the wider village is bound to correspondingly increase with increased levels of through traffic generated by Phase 2.
- 5.34. The previous application for the Phase 2 site, west of St Andrews View, was refused. Reasons being noise, the wind turbine and the proposed development's proximity to the A595. Nothing has changed.
- 5.35. Any disturbance of heritage assets should be considered as potentially damaging the character of the area.
- 5.36. The County Archaeologist, following the 2016 approval for the development of St Andrews View, highlighted recommendations for further archaeologist investigations before the commencement of development. The assessment provided by the applicant is dated 2013.
- 5.37. The density of the proposed development is out of keeping with the village and St Andrews View. It will be overbearing and disproportionate. It impacts upon amenity of the development and the wider village and intensifies feelings of being overlooked and a loss of privacy.
- 5.38. The visual impacts of the development are negative. This negatively affects the amenity and wellbeing of Thursby residents and is detrimental to the character of the village.
- 5.39. The planned playing area which is nearer to the A595 junction. It leaves children further exposed to risks of road noise and emissions from A595 traffic with any form of ball game being an additional risk. Situated on an outer edge of the site there is a further risk for unaccompanied young children.
- 5.40. The wind turbine is directly adjacent to the Phase 2 site with plans indicating the dwellings will have direct views of the turbine. This is in contradiction to the Allerdale Local Plan Part 2.
- 5.41. Out of date and inaccurate data in the traffic assessments submitted by the applicant.
- 5.42. There are numerous negative highway considerations; more vehicles using Matty Lonning as a cut through; and adding further pressures to Matty Lonning residents.
- 5.43. The current condition of road surfaces within the village can only be described as extremely poor. Increased traffic will only make the road conditions much worse.

- 5.44. No modelling conducted for one site entrance.
- 5.45. Negative impact of additional vehicles on current residents in the vicinity of Bouch Way and Dundraw Lane.
- 5.46. This will impact on the wellbeing of the current residents, there will be increased levels of risk, noise, nuisance and inconvenience. All of which will increase residents' stress levels.
- 5.47. Residents living in the immediate vicinity of the Bouch Way and Dundraw Lane junction will also suffer a loss of privacy and increased 'headlight' ingress.
- 5.48. There are no road markings currently identifying priorities and right of way at the proposed single entrance to phase 2. The camber of the road may also need to be reassessed were it to become the only entrance into Phase 2.
- 5.49. The argument in the applicant's traffic assessments is that the Low Road junction and the Dundraw Lane entrances are both safe and acceptable access points for Phase 2. This is without provision of current and accurate data and modelling based on increased levels of traffic to and from the estate.
- 5.50. No account has been taken of the increased footfall in the area, children playing and pedal cycles.
- 5.51. The immediate environment of the Dundraw Lane junction carries more risk than the Low Road junction. The Dundraw Lane junction's risk factors include impeded views of the roads approaching the junction. Because of housing situated within only a few metres of the junction, parked vehicles, playing children and the absence of any road markings to identify priority between Dundraw Lane and Bouch Way.
- 5.52. The applicant fails to recognise there is a second alternative route for traffic through St Andrews View and which avoids the Dundraw and Bouch Way junction. There is no such planned second alternative route within Phase 2.
- 5.53. The natural western boundary of the village will become the A595 which will lead to an increased use of Low Road by vehicles travelling from the West. Currently the junction between Low Road and the A595 is signposted Curthwaite. Drivers will identify the junction as the first opportunity to access Thursby. This will add additional traffic pressures and risk to the West of the village.

Environmental Health

30.03.2022

- 5.54. The reviewed (February 2022) noise assessment has appropriately addressed Environmental Health queries and comments and no objections are raised to the proposal with regards to noise.

- 5.55. As expected, the traffic levels were lower during 2020, however the assessment has now addressed this and the measured levels have been adjusted accordingly. The changes don't really have any material impact on the proposed mitigation, however you can be confident that the assessment approach regarding road traffic noise is now robust.
- 5.56. Environmental Health staff visited St Andrews View on 2nd March 12.45-13.15 approx 14mph easterly wind and 25th March 16.34-16.51 approx 5mph south westerly wind. The wind turbine adjacent was operational on both occasions. The predominant noise source was traffic on the A595.
- 5.57. On 2nd March the Turbine blade movement could be heard at the site access to Bouch Way when standing still, but not at a level that would affect amenity and could not be heard when walking around the development.
- 5.58. On 25th March the turbine blade movement was inaudible at the development.
- 5.59. The mitigations measured in the noise report should be appropriately conditioned.

Cumbria County Council

28.02.2022

Local Highway Authority Response

- 5.60. The concerns about the parking figures has been addressed by the applicant. We accept their argument on this particular occasion.
- 5.61. We are pleased that the proposed access to the sales unit be made permanent (extending the Speed limit slightly further to cover this access or extending the system of street lighting) and still recommend that the temporary TRO for the proposed temporary access be introduced.
- 5.62. It is noted that the assumptions made on the TA (Drawing no 1084-FF05-D) is incorrect where it refers to the location of the 30mph and derestricted sign locations. This does not take into account the 40mph speed limit currently in place.
- 5.63. I can also confirm that the frontage footway would not be required, provided of course that the footway proposed by the applicant is completed and usable as per the suggested condition below.

Right hand ghosted turn from the A595

- 5.64. The applicant has responded to this element in some detail. It is out view (in light of the comments received) that the creation of a right turn lane would have been a "good to have"/desirable improvement, but would not be an essential/"must have" addition to the highway network.

5.65. We therefore are content to remove this 'ask' from our previous comments.

Interim Transport Plan (TP)

5.66. As stated previously, the document is well written and most of its contents is acceptable. The applicant's willingness to increase the target from 5% to 10% is welcomed. The monitoring of the TP, implementation and funding should be covered by a S106 agreement.

Lead Local Flood Authority Response

5.67. The details provided by the applicant is acceptable. I can confirm that this element is now addressed and can therefore be covered by a suitably worded condition.

Conclusions

5.68. We have no in principle objections to this application, we would however recommend conditions are attached and obligations are included in any consent.

06.01.2022

Local Education Authority Response

5.69. The dwelling-led model has been applied to the housing mix provided of 10 x 2 bed, 16 x 3 bed and 41 x 4 bedroom houses, which theoretically estimates a yield of 28 children: 16 primary and 12 secondary pupils.

5.70. The site is in the catchment areas of Thursby School (0.6 mile) for primary and Caldew School (3.8 miles) for secondary education. The next nearest primary school is Rosley CE School (2.6 miles) and the next nearest secondary school is Morton Academy (4.7 miles), both schools are over the walking thresholds.

5.71. The methodology for calculating available spaces in schools first considers developments with planning approval, before assessing which schools the developments will impact and what spaces remain for the most recently proposed development. Currently there are no developments affecting the primary catchment school used for this assessment and there are four for the secondary schools.

Primary

5.72. There are sufficient places available in the catchment school of Thursby to accommodate the primary pupil yield of 16 from this development. The next nearest school is Rosley but it is over 2 mile walking threshold.

5.73. No education contribution would be required.

Secondary

- 5.74. There are sufficient places available in the catchment school of Caldew to accommodate the secondary pupil yield of 12 from this development. The next nearest school is Morton Academy which is over the walking threshold.
- 5.75. An education contribution would not be required.
- 5.76. The current transport has adequate capacity to transport children from this development to the catchment school. A contribution towards secondary school transport will therefore not be required.

Fire Officer

- 5.77. No reply to date.

Environment Agency

- 5.78. We have no objection in principle to the proposed development as submitted, but would provide information regarding the need for a permit as the northwest corner of the site runs adjacent to the main river Matty Beck.

County Archaeologist

- 5.79. Our records indicate that the site is of some archaeological interest. Aerial photos show that a cropmark enclosure indicative of a prehistoric settlement may survive on part of the site. The geophysical survey of the site was inconclusive but may have revealed buried remains of the enclosure. It is therefore considered that the construction of the proposed development has the potential to disturb buried archaeological remains of local significance.
- 5.80. I therefore recommend that, in the event planning consent is granted, the site is subject to archaeological investigation and recording in advance of development. I advise that this work should be commissioned and undertaken at the expense of the developer and can be secured through the inclusion of a condition in any planning consent.

Natural England

- 5.81. No comments to make on this application.

Cumbria Wildlife Trust

- 5.82. No reply to date.

Highways England

- 5.83. I've checked the location and they are some way from the nearest section of the Strategic Road Network and as such we would offer no comments. The roads that may be impacted by the development are managed by Cumbria CC.

Cumbria Constabulary

5.84. No reply to date.

Housing Services

11.03.2022

- 5.85. Affordable provision on this development should be in line with the requirements of policy SA3 of the Local Plan (Part 2). This would include an affordable provision of 20%, equating to 13 properties.
- 5.86. The housing team will take a flexible and pragmatic approach when considering the tenure of affordable housing provision to enable this development to be delivered.
- 5.87. The findings from the 2016 housing study show that the need for affordable housing in Thursby and its adjoining parishes of Aikton, Westward and Woodside is mostly two bed roomed properties. However, there is a substantial need for four bed roomed.

Table One	%
Four bed property	19
Three bed older persons	5
One bed older persons	12
Two bed property	41
Three bed property	5
Five+ bed property	8
One bed property	10

- 5.88. Discounted Sale properties must be sold for no more than 65% of their open market value. The Discounted Sale register shows that as at February 2022 the following number of householders are interested in discounted sale housing and consider themselves to have a local connection to either the parish of Thursby or one of its adjoining parishes.

Low Cost Home Ownership Register*										
Table Two	1BH	2BH	3BH	4BH	1BF	2BF	3BF	1BB	2BB	3BB
Thursby		2	1							
Total		2	1							

* parishes where no demand has been identified are now shown

- 5.89. Information from Choice Based Lettings shows that the following properties have become available for rent in Thursby and its adjoining parishes during 2020/21 and 2021/22 to date:

Table Two	No. Available	No. of Bids	Average no. of bids
One bed bungalow	1	12	12
Two bed bungalow	2	53	26
Two bed property	1	6	6
Three bed property	3	89	30

- 5.90. Where affordable housing is being delivered on this site there is an expectation that these homes would need to be of acceptable house sized standard for the registered housing provider. Please refer to paragraph 35 in the Local Plan Part 2 SA3 in relation to space standards for registered providers.
- 5.91. We would like to see that the spaces standards for the proposed affordable sale properties are reflective of the standards we would expect in the social rented sector and that these properties can meet the needs of a small family (i.e. minimum three person family).
- 5.92. Since 2016/21, 17 units have been completed in Thursby. Of these, 4 were for discounted sale – four x two bed houses.

United Utilities

- 5.93. Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request conditions are attached in relation to the foul and surface water drainage securing these are in line with the submitted information.

CCC Minerals & Waste

- 5.94. No objection to this application.
- 5.95. The application has been advertised by press advert, site notice and neighbour letter.
- 5.96. 37 letters of representation have been received following the original advertisement of the application and re-consultations, raising objection to the proposal. The representations are summarised as follows.
1. In relation to the amended plans it is considered these have changed little and not addressed the concerns raised.
 2. The development does not confirm with ALPP SA29 which shows a site capacity of 40 dwellings.
 3. A reduction in the number of proposed houses and density could address the significant concerns raised by residents of Thursby.
 4. Phase 1 and 2 together will make some 140 homes, which is huge in relation to the size of the village.
 5. The development will alter the character of the village and be on the edge of the village.
 6. There is no justification to add a further 67 houses to the village.

7. Lack of facilities in the village; shop, school places. Increases the use of private vehicles.
8. A traffic slowing roundabout must be created at the A595/Low Road Junction. This will continue to be a dangerous junction, more so with an increasing amount of traffic turning into the village, or exiting onto the A595. Quoting reported accident data to support the lack of an upgrade should not be considered sufficient and justified.
9. Concern with the impact on taking children to School. There is a lack of parking on School Road with the increased traffic to the school this will have severe impacts. There are no traffic calming measures around the school.
10. There are 3 indented visitor parking spaces in bays and the remainder 28 allocated roadside spaces. The use of on road visitor parking creates issues for both vehicles and pedestrians alike. If there were less congested housing, there may be an opportunity to move visitor parking from the road to identifiable indented parking bays. A number of these are located at junctions or to the front of the play area creating a highway hazard and safety use of users.
11. This development should offer a larger range of homes, particularly to include more single storey / bungalows.
12. Residents on phase 1 development experience constantly elevated levels of noise from the A595. What will it be like for these dwellings in closer proximity. A 2 m bund will not be sufficient.
13. The noise survey measurements were taken in a 24hours period on a weekday. The survey should have included a weekend. The traffic on the A595 can increase significantly in the summer months and at weekends when day trippers and holiday makers travel to the area.
14. The noise assessment exposes significant noise pollution problems faced by future residents; the report identifies 51 of the proposed 67 houses will require PIV system of ventilation. That is 76% of the proposed housing. In addition, 19 houses will require specialised glazing to mitigate noise essentially meaning a large proportion of the site should have their windows shut every day to avoid traffic. PIV's also do not provide ventilation in higher temperatures. All but one of these are situated along the length of the proposed bund and are nearest the A595. These measures do not reduce impact on gardens.
15. The wind speed on the day of the noise reading were less than 5 mph throughout the survey. This is inappropriate in that the wind can have a significant effect on noise levels and from my experience certainly does on St Andrews View.
16. The shadow flicker report is welcomed, however the use of unconscious bias techniques via the colour and scaling starting at 30hrs is misleading. Depending on orientation the dwellings will experience shadow flicker.
17. Lack of transparency when selling houses on phase 1, and no information about the planned phase 2 in such close proximity.
18. The development could lead to increased traffic flow along Matty Lonning which is access only.
19. The development does not provide for adequate open space.
20. It is not clear what the intent is to do with the existing western boundary for phase 1 with no reference to it in the Arboricultural report or landscaping plan.

1 letter of support has been received who believe the village can cope with the additional houses and may result in a shop for the village.

6. Environmental Impact Assessment

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

7. Duties

- 7.1. Regulation 9 of the Conservation of Habitats and Species Regulations 2017 requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions, particularly when determining a planning application for a development which may have an impact on European Protected Species ("EPS"), such as bats, great crested newts or otters.

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 S6d Area Based Wigton
Policy S7 A Mixed and Balanced Housing Market
Policy S19 Renewable Energy and Low Carbon Technologies
Policy S21 Developer Contributions
Policy S22 Transport Principles
Policy S24 Green Infrastructure
Policy S25 Sports, Leisure and Open Space
Policy S27 Heritage Assets
Policy S29 Flood Risk and Surface Water Drainage
Policy S30 Reuse of Land
Policy S32 Safeguarding Amenity
Policy S33 Landscape
Policy S35 protecting and Enhancing Biodiversity and Geodiversity
Policy S36 Air, Water and Soil Quality
Policy DM12 Sustainable Construction
Policy DM14 Standards of Good Design
Policy DM17 Trees, Hedgerows and Woodland

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

8.2. Allerdale Local Plan (Part 2) (Adoped July 2020)

Policy SA1 Identified Sites
Policy SA2 Settlement Boundaries
Policy SA3 Affordable Housing
Policy SA5 Housing Standards
Policy SA6 Housing Delivery
Policy SA29 Land to West of St. Andrew's View, Thursby
Policy SA33 Broadband
Policy SA51 Amenity Green Spaces
Policy SA52 Green Infrastructure

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

- 8.3. The site is within the settlement limits of Thursby as defined by the policies maps contained within the Allerdale Borough Local Plan (Part 2). The site is a 'Housing Commitment' within Part 2 also.

9. Other material considerations

National Planning Policy Framework (NPPF) (2021)

- 9.1. Paragraph 219 advises that the weight afforded to development plan policies can vary according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- 9.2. The NPPF is available to view at:-

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

Developer Contributions Supplementary Planning Document

- 9.3. This document is complementary to the Local Plan Part 1 and was the subject of consultation and subsequent approval by members. It sets out the Council's approach to securing necessary contribution via S106 agreements where necessary to make the development acceptable and where reasonable to do so.

9.4. Allerdale Action Plan to Address Climate Change

9.5. Allerdale Borough Council Plan 2020-2030:

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

The details of this document can be viewed here:

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

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. The Council is committed to taking a positive approach in the determination of planning applications and will always seek to approve proposals unless material adverse effects would significantly and demonstrably outweigh the benefits (Policy S1). This is consistent with the overall aim of the updated NPPF and its core planning principles to achieve sustainable development through strengthening the economy whilst supporting the needs of the community and protecting and enhancing the natural, built and historic environment.
- 11.2. Paragraph 79 of the updated NPPF, in specific reference to rural housing, advises:-
- “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby”.
- 11.3. Policy S3 ALPP1 expects growth to be largely located inside settlement limits and commensurate in scale to the size of the settlement and the services that it offers. Policy S5 states that new development will be concentrated within the physical limits of the Local Service Centre.
- 11.4. The site is within the settlement boundary for Thursby as established through the ALPP2, adopted July 2020. Settlement boundaries mark the physical extent, for planning purposes, of a town or village, being the dividing line between the built area (the settlement) and the rural area (the countryside). They have an important role in preventing unplanned expansion of settlements, ensuring development is located in the most sustainable locations, (in line with spatial strategy), and protecting sensitive areas from excessive or in appropriate development.
- 11.5. Thursby is defined as a ‘Local Service Centre’ in the ALPP1 and as a larger village, has a school, village hall, church and public transport. These villages will accommodate housing development that will help contribute towards

maintaining the vitality of the settlement. The Local Service Centres are to collectively provide 20% of at least 5,421 dwellings over the plan period; i.e. 1084 homes. There are eight Local Service Centres in total so each settlement would provide 136 homes over the plan period if homes were divided equally amongst each settlement. It is therefore considered a proposed development of an additional 67 units taking into account recent development (69 units on phase 1) and an approval (OUT/2019/00002 consent for 12 dwelling) in Thursby is commensurate to Thursby's size and status within the Local Plan and will help maintain the vitality of the village.

- 11.6. The site is a 'Housing Commitment' within the ALPP2 and is so allocated specifically for housing purposes within Part 2 (Policy SA29).
- 11.7. A number of objections have been raised to the scale of the proposed development at 67 units and its non-compliance with Policy SA29 of the ALPP2. This policy shows a site capacity of 40 dwellings but no density is stated within this allocation. However, it needs to be noted that this number is not a mandatory number and that if an acceptable site layout can be achieved (which will be discussed in detail later in the report) then the application should not be refused on numbers alone.

Benefits of the proposal

- 11.8. The provision of 67 additional dwellings at Thursby would provide for additional housing at a scale that the ALPP1 and ALPP2 considers reasonable for Thursby as a Local Service Centre. The proposal would contribute particularly to one of the key objectives of the NPPF to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. Similarly, the proposal would contribute to strategic objective SO2c of the ALPP2, which seeks to ensure a deliverable supply of housing land that meets the needs of the community and local economy, as well as the Council Plan in terms of supporting the development of new homes where they are needed.
- 11.9. The proposal would provide additional affordable housing as set out below in more detail, increasing access to affordable housing in the Borough, in accordance with strategic objective SO2d of the ALPP2 and the Council Plan's priority of tackling inequality through the provision of more affordable housing.
- 11.10. The provision of additional housing would have economic benefits arising from further investment in the construction industry and the associated retention of jobs directly and indirectly within the supply chain.

Balanced and mixed communities including affordable and accessible homes

- 11.11. Policy S7 seeks to promote sustainable, inclusive and mixed communities by ensuring that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Policies S2 and DM14 require development to make the most efficient use of the

land and build at an appropriate density and layout according to local setting and character. The Council will assess site/ownership boundaries, density and unit mix to ensure that land is not used inefficiently or in a piecemeal fashion to deliberately produce schemes below the policy thresholds. Policy S4 of the Local Plan (Part 1) states that developments must optimise the potential of the site by ensuring appropriate density and mass of development. Policy DM14 states that housing density will be considered on a site by site basis and informed by local context of the area in terms of design considerations, historic or environmental integration, or identified local need.

- 11.12. The density of the site is 31 dwellings per hectare and the dwellings are of a suburban nature - with detached and semi-detached properties with a low level of terraced properties, whilst the density for this site is slightly higher than that on the adjacent phase 1 development of 23 units per hectare, the proposed site density is consistent with other developments in the Part 2 Local Plan that recommends a density for site allocations of between 20-30 hectares. The proposed layout achieves an acceptable layout and size of plots and officers consider the proposed density to be acceptable with regards to the locality. The scheme accords with the Council requirement for the provision of affordable housing to be in clusters throughout the development, which is indistinguishable from open market dwellings.
- 11.13. The mix of proposed dwellings are a varied and complementary mix of two storey house types and bungalows including 2, 3, 4 and 5 bedroom accommodation, and all benefit from private gardens within each residential curtilage. The housing mix comprises of: 10 x 2 bedroom dwellings; (3 of which are bungalows) 16 x 3 bedroom dwellings; 35 x 4 bedroom dwelling; and 6 x 5 bedroom dwellings.
- 11.14. Policy SA3 of the Allerdale Local Plan Part 2 provides the updated requirement for affordable housing provision as part of major residential developments (superseding Policy S8 of Part 1). The ALPP2 identifies the site as within Zone B which requires a 20% requirement of affordable housing and the scheme provides 13 affordable homes in accordance with the policy requirement.
- 11.15. It is noted that the affordable properties are a mix of 7 x 2 bed dwellings, 4 x 3 bed dwellings and 2 x 2 bed bungalows (Branford, Newford, Fulford).
- 11.16. Paragraph 65 of the NPPF states “where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable homes ownership”. A recent Ministerial Statement and Planning Practice Guidance now requires a minimum of 25 % of all affordable housing units to be First Homes.
- 11.17. The affordable and space standard distribution plans sets out the affordable housing provision; 3 First Homes; 7 Social Rent and 3 Discounted Sale all in a mix of 2 and 3 bed units. As such, the number of proposed affordable housing units is considered acceptable having regard to the Ministerial Statement, Paragraph 65 of the NPPF and ALPP2 Policy SA3 and it is considered that the

size of units for low cost home ownership is reasonable. This will be secured via a Section 106 legal agreement.

- 11.18. Policy SA5 of the Council's recently adopted Local Plan (Part 2) deals with housing standards requiring certain percentages to meet M4(2) – 20% and M4(3) - 5% standards. It is noted the scheme does comply with Policy SA5 of the ALPP2 in that for developments of 10 units or more, 20% of the dwellings must be designed and constructed to meet the requirements set out in optional Building Requirement M4(2). The units Branford, Rushford, Wexford, Newford, Fulford and Beckford house types are all M4(2) compliant and represents in excess of 20% (23 number / 33%) of the dwellings provided in accordance with Policy SA5. The policy requirement is only 13.4 units.
- 11.19. Residential developments over 30 units must ensure that 5% of the total units (across both market and affordable dwellings) should be designed and constructed to meet optional Building Requirement M4(3) ensuring that the dwellings are wheelchair adaptable. The Newford and Beckford House types are also M4(3) compliant, however these only equate to 3 no dwelling which is only 4.5% overall. However, given that the requirement is for 3.35 units it is common practise to round these to the whole number. The proposal is therefore considered acceptable in line with policy SA5.

Scale, Layout, Design and Materials

- 11.20. Policies S4 and DM14 seek to ensure amongst other matters, that new development is of a high quality design, of appropriate scale and appearance and responds positively to the character, history and distinctiveness of the locality.
- 11.21. The NPPF has been updated in July 2021 and requires that the design of streets, parking areas, other transport elements reflect current national guidance, including the National Design Guide and the National Model Design Code. Further paragraph 126 of the NPPF states that, 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve'. Paragraph 134 states that, 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design'. The NPPF now requires Councils to produce local design guidance, but as this requirement has only just been introduced, no local design guidance is available at present. Finally, newly introduced paragraph 131 states, 'Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible'.
- 11.22. The development will achieve a satisfactory relationship with the existing settlement pattern. The dwellings once built will be seen in line with the existing

adjacent built development of St Andrews and not as a stand-alone development.

- 11.23. The proposal provides a mix of standard housing types and sizes. The overall layout, hierarchy, space and plot ratio is considered acceptable, with a high level of amenity greenspace provided to the west corner of the site and areas throughout the development site and along the frontage of the dwellings. The landscaping scheme as shown on drawing number SHTP2-WW01-J received 21.03.22 shows the proposal incorporates new planting including trees throughout the proposed site and creating tree lined streets, with a mixture of these within the individual plots and in the public areas throughout the site.
- 11.24. Internally to the site, the proposal is considered to provide a good standard of housing environment overall for future residents, providing adequate separation distances, external amenity space, and in curtilage parking and public open space for future residents. Boundary treatments subdividing the dwellings and on rear gardens are to be 1.8m high timber fencing. Brick walls are proposed at key prominent locations. Sections of solid timber acoustic fence 2.5m high are proposed where necessary for noise mitigation along the northern area of the site adjacent to the A595. Metal railings are proposed for the SUDs features and play area and various sections of low wooden trip rail along the edge of the swales and to delineate shared drives from open space. The landscaping plan and boundary treatments can be secured by planning condition along with their management. The landscaping details are considered to be acceptable, having regard to policies S4 and DM14 of the Allerdale Local Plan Part 1.
- 11.25. The principal elevations have been orientated towards Low Road for the units located along the southern boundary of the site adjacent to Low Road and will be viewed as a natural continuation of the existing residential development at St Andrew's View to the east. The fenestration, design and materials of the units for the development reflect existing housing in Thursby.
- 11.26. The proposed scale of the development ensures there is a density level that is reflective of Thursby (about 31 dwellings per hectare) thus making an efficient use of the land whilst providing housing in accessible location close to the main thoroughfare through the village. The 67 dwellings are a standard mass for a suburban estate, of a compact nature, comprising predominately 2 storey dwellings; providing a mix of detached, semi-detached and terrace properties. The proposed dwellings benefit from off street parking and generous gardens.

The proposal has been amended to remove the access from Dundraw Lane on the adjacent housing site and will now provide a single vehicle access point to serve the proposed development direct from Low Road with full visibility achievable in both directions. A small area of hedge will need to be removed to accommodate this. The internal plots will mainly front onto the internal roads. The proposal includes a pedestrian link between the two sites along the internal Dundraw Lane where the two boundaries meet on the east elevation. The play area has been relocated to this area which officers consider is located in a more integral part of the development with natural surveillance from nearby properties. The plots along the eastern boundary have been designed so that they either

back on or side to the existing dwellings. The proposed distances between the proposed and existing elevations are appropriate and will not give rise to unacceptable levels of overlooking both for existing and future occupiers in line with Policy S32.

- 11.27. The proposed development provides a safe, functional, permeable and inclusive access that does not give dominance to car use. Streets have been designed in accordance with the CCC streets manual. There are a range of in curtilage car parking solutions.
- 11.28. Cumbria Highways has provided a Cumbria Development Design Guide. The guidance provides a suggested level of parking for housing developments and advises that two bedroom houses should provide 2 spaces, three bedroom houses should provide 2.5 parking spaces and 4 bedroom houses 2.5 parking spaces and that 1 visitor space should be provided for every 5 Dwellings. Applying the guidance this proposal requires 179 parking spaces throughout the development. The amended layout provides 171 parking spaces both in the form of curtilage parking and garages and 13 on street parking visitor parking spaces provided in a mix of 3 within designated parking bays and the remainder 10 on the internal highway roads. Cumbria Highways Officers do not oppose the use of parking within the highway on this development. Officers consider the revised parking provision achieves an acceptable level of development for the site and will not impact on the visually amenity of the whole of the site.

Sustainability, Vehicular Access and Highway Safety

- 11.29. Policies S2 and S22 of the ALP (Part 1) seek to ensure that housing development can be accessed safely and that proposals do not compromise the safety of any transport route. Policy S22 and S5 require that the proposed development includes acceptable arrangements for car parking and access. These policies accord with Paragraph 110 of the NPPF which seek to ensure sustainable transport modes are maximised and development is safe and accessible.
- 11.30. As stated above, Thursby falls within a Local Service Centre, to which it is accepted some housing development can be directed. The village itself has access to a range of services and amenities. The school is located approximately 690m from the site, with other amenities such as the village hall, church and public house located in between these sites.
- 11.31. As such, it is considered that there are some services, amenities and education/employment opportunities within suitable walking distances, whilst other facilities, supermarkets and employment opportunities lie beyond this in the nearby towns.
- 11.32. The access arrangements have been amended throughout the application with an independent access to the site now from Low Road which connects the village from the A595, with Wigton to the west and Carlisle in the east. The nearest train station is Dalston train station which is approximately 4.5km to the east of the site. There are regular multiple bus services that operate from 05:40

to 23:16, making travel by public transport a realistic alternative to travelling by car.

- 11.33. There are two laybys off Low Road on the opposite side to the site which would not be affected by the proposal. There are also a number of public rights of way within the vicinity of the site; however, none of these routes would be affected by the proposal.
- 11.34. Having regard to the relevant policies of the Plan and the NPPF, it is considered that the proposal is accessible by modes other than the car and that measures would be provided to reduce the reliance on the private car by future residents.
- 11.35. The application is accompanied by a transport statement.
- 11.36. Cumbria highways have assessed the revised plans and transport statement and raise no objections subject to conditions with no improvements to the existing highway network required.
- 11.37. In this proposal, the car parking and highway access arrangements and road details are considered to be acceptable, subject to recommended planning conditions.
- 11.38. Paragraph 111 of the NPPF states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, of the residual cumulative impacts on the road network would be severe”.
- 11.39. Further to additional information from the developer the Highways Authority have removed their request for a right hand ghost turn from the A595 detailing, whilst they still maintain it would be a desirable improvement, they do not consider it an essential addition to the highway network.
- 11.40. The proposal is considered to be acceptable in highway safety terms, without severe impact on the existing network. Further, for the reasons outlined above, the location is favourably considered against highway matters and is acceptable in relation to the NPPF, Policy S2 and S22 of the ALP Part 1 subject to recommended conditions.

Flooding / Drainage

- 11.41. Policies S2 and S29 of the local plan seek to minimise the risk to people and property as a result of flooding and ensure that development would not increase the risk of flooding elsewhere, requiring full consideration of the surface water drainage hierarchy.
- 11.42. The site currently lies within Flood Zone 1 on the Environment Agency Flood Risk maps, assessed as having the lowest risk of flooding. However, given the size of the site, a Flood Risk Assessment (FRA) accompanies the application which has looked at the implications of a proposed residential development in relation to drainage and flood risk.

- 11.43. Surface Water will drain to the existing SuDs pond to the north of the site, before directed to the watercourse to the west of the pond at a controlled flow rate of 6.1 litres per second per hectare, which is the calculated Greenfield QBAR runoff rate for the site.
- 11.44. The existing SuDs pond has capacity for additional flows from the site, when combined with a number of additional small-scale SuDs features within the proposed development.
- 11.45. Foul water from the site is proposed to discharge to the existing pumping station in St Andrew's View which has sufficient capacity. It will then drain to the public combined/foul sewer network.
- 11.46. United Utilities and the Lead Local Flood Authority have assessed the proposed drainage scheme and confirmed the details are acceptable.
- 11.47. The proposal is considered to be acceptable in relation to policy S29 of the ALPP1, with a suitable scheme for the discharge of surface water drainage and its maintenance secured as part of the application.

Noise

- 11.48. Policy S32 of the Local Plan is relevant in this regard and has consistency with Paragraph 185 of NPPF, the latter requiring that;-

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely affects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

- 11.49. The applicant has undertaken a noise assessment in relation to the noise from the nearby wind turbine and road traffic.
- 11.50. The amended noise assessment has examined the living conditions of potential occupants of the proposed dwellings; the nearest dwelling within the site would be approx. 329m to the north east of the turbine location and approx. 17m from the A595. The assessment indicates that the site is suitable for residential development subject to appropriate mitigation measures regarding sound insulation of the building and the use of glazing and Positive Input Ventilation systems (PIV).
- 11.51. The BS8233:2014 assessment found that guidance noise levels in garden areas can be achieved through the provision of a 2m high earth bund along the

western site boundary, adjacent to the A595 and a 2.5m high acoustic fence to the gardens of Plots 20, 42 and 43.

- 11.52. Internal noise levels can generally be achieved across the site with windows open, however noise sensitive rooms towards the northern, southern, and western perimeters of the site, facing the adjacent roads, will require enhanced glazing in order to achieve the guidance noise levels. Dwellings will also require alternative ventilation, with a PIV system to be installed at affected plots. Although this extends to 49 properties PIV system is considered to be an appropriate and well used manner to address internal noise levels.
- 11.53. Environmental Health officers have assessed the revised noise assessment and carried out independent site visits to the proposal site. On both occasions the wind turbine was in operation, with the predominant noise source the traffic on the A595.
- 11.54. Environmental Health Officers are satisfied that the assessment approach regarding road traffic noise and the time it was undertaken is robust. No objections are raised with relation to noise from either the A595 or the turbine.
- 11.55. It is considered that the revised noise assessment has adequately considered the impact of noise both from the wind turbine and the adjacent A595 and subject to the mitigation measures being implemented, which can be controlled via condition the proposal will not have an unacceptable impact on the future occupiers of the dwelling.

Shadow Flicker

- 11.56. Policy S19 in the adopted local plan relates to renewable energy development which normally seeks an 800 m buffer between residential properties and wind turbines. However it is highlighted within the policy that site specific factors e.g. orientation of views, land cover and topography may make this threshold variable if there is evidence to demonstrate there will be no adverse impact on residential amenity. This proposal's landuse alternatively relates to a different type of development, but the amenity principles within Policy S19 albeit in reverse are applicable under Policy S32.
- 11.57. Paragraph 185 as detailed above is also relevant to shadow flicker and the potential impact on peoples living conditions and health.
- 11.58. Guidance outlines that only properties within 10 rotor diameters distance from any turbine may experience any potentially significant impacts of shadow flicker. This threshold has been applied in appeals for wind turbine development. The new dwellings would be within 329m – 486m of an existing wind turbine located at Howend Farm Thursby which is to the south west of the proposed housing development. Nearly all of the dwelling will be within 10 rotor diameters of the site.
- 11.59. The applicant has submitted an amended shadow flicker assessment (31/02/2022). Guidance details that shadow flicker should not exceed 30 hours

per year or 30 minutes per day. When accounting for cloud cover, shadow flicker impact is predicted at all receptors to be below these thresholds.

- 11.60. It is therefore considered that none of the proposed residential units would experience any overbearing impact from the presence of the turbine which would result in them being an unacceptable place to live; also future occupiers will be aware of the turbine on visiting the site, giving them an informed judgement of the potential implications associated with the turbine.

Heritage / Archaeology

- 11.61. Policies S2, S5 and S27 of the Allerdale Local Plan seeks to ensure that proposals do not adversely affect heritage assets and their setting.
- 11.62. The county archaeologist has highlighted that the site is of some archaeological interest. Aerial photos show that a cropmark enclosure indicative of a prehistoric settlement may survive on the site. The geophysical survey of the site was inconclusive but may have revealed buried remains of the enclosure. It is therefore considered that the construction of the proposed development has the potential to disturb buried archaeological remains of local significance. The County Archaeologist has recommended that further archaeological investigations and recording should be undertaken prior to the commencement of development. This can be controlled via condition. As such, the proposal is not considered to raise any concerns in relation to policy S27 of the ALPP1.

Landscape and Visual Effects

- 11.63. Policy S33 of the ALPP1 seeks to protect, conserve and enhance the landscape character and local distinctiveness of the Plan Area and supports the NPPF aim to recognise the intrinsic character and beauty of the countryside (paragraph 174). Policies S4 and DM14 of the ALPP1, seek to ensure amongst other things that new development responds positively to the character and distinctiveness of the location and integrates effectively and policy S24 seeks to ensure that regard is had to how the development retains green infrastructure.
- 11.64. The site lies within the Landscape sub-type 5b: Low Farmland as defined by the Cumbria Landscape Character Guidance and Toolkit. Key characteristics are:
- Undulating and rolling topography
 - Intensely farmed agricultural pasture dominates
 - Patchy areas of woodland provide contrast to the pasture
 - Woodland is uncommon west towards the coast
 - Fields are large and rectangular
 - Hedges, hedgerow trees and fences bound fields and criss-cross up and over the rolling landscape.
- 11.65. The site would have a number of visual implications given its location on the periphery of the village on land at a higher level than the surrounding road networks. However, the introduction of the new housing development as part of

phase 1 has already altered the character of the area increasing the built development and lighting in the landscape and will assist in assimilating the development into the existing built environment of the village. The plans provided show an acceptable form of development can be achieved in terms of the standard of housing for future occupiers, while not adversely affecting the residential amenity of neighbouring properties.

- 11.66. The topography of the land alters throughout the site and the section plans show that the development would not be overly dominant within the existing landscape.
- 11.67. From wider views the development would be seen in the context of the phase 1 development that has now been completed. Additional landscaping would be provided in the form of a bund and tree planting along the northern boundary to the A595 to aid screening of the development. Along the corner of the site to the A595 and Low Road additional native planting is also proposed to soften the impact of the development on the approach to the village. The retention and enhancement of existing landscape features and planting of new trees would implement the guidelines to maintain and enhance the landscape distinctiveness in the Urban Fringe sub-type.
- 11.68. As part of the Phase 1 development a Kest was approved with hedgerow above to the western boundary of the development. If approval is granted this will see this kest and hedgerow removed as the new development will abut the existing phase 1. The existing acoustic fencing will be retained as the boundary between the two sites dividing the gardens.
- 11.69. Officers conclude that the proposed development would not have a significant adverse impact on the visual landscape and amenity and therefore is compliant with the provisions of Policy S32 and S33 of the Allerdale Local Plan (Part 1).
- 11.70. A number of policies of the ALLP1 and specifically Policy S32 seek to protect the amenity of existing residents to an acceptable standard.
- 11.71. It is noted that there will be a high susceptibility for change to the views from existing properties along the western boundary of the existing adjoining estate, however, officers consider that the separation distances between the proposals and existing dwellings is sufficient to ensure no significant adverse effects in accordance with Policy S32. An acceptable standard of visual amenity would be retained for these residents.
- 11.72. The visual and landscape impacts are deemed acceptable in compliance with Policies S32 and S33 of the ALPP1.

Play Provision/Amenity Green Space

- 11.73. Policy S25 of the ALPP1 requires that new residential development makes provision for well-designed public open space, either through on site provision of new open space or by financial contribution to enhance or create off site provision of public open space. DM14 specifies that new development should

include high quality landscaping. The Council has an adopted Supplementary Planning Document (SPD) that sets out requirements for open space provision, differentiating between amenity greenspace and provision for children and young people. For a residential development of 67 units, the SPD indicates that both amenity greenspace and provision for Children and Young People should be provided on site.

- 11.74. For amenity greenspace, the SPD specifies 15m² per dwelling, equating to a requirement here of 1,005m². For children/young people, the requirement is 1.34 m² per dwelling, with play area of 89.78m².
- 11.75. The proposal provides for approx. 10,967m² of public open space, of which 4,897m² is accessible to the public. This is principally located to the south western corner. In addition, there is a POS extending along the Site frontage in a linear form which can be accessed via a gravel path from the large POS area. The POS continues to the northern boundary to provide a softer transition to the field located to the north of the site. The POS in this location and in the centre of the site will incorporate additional surface water storage in the form of dry basin and swales respectively.
- 11.76. The siting of the play area on site has been amended and will now be located adjacent to the pedestrian link between this proposed development and the exiting estate of Bouch Lane (Phase 1). Officer consider the proposed siting to be acceptable with natural surveillance of the play area. The details of the play equipment can be secured through a planning condition.
- 11.77. Subject to the maintenance of the amenity greenspace and the play area for children and young people via condition the proposal is acceptable in relation to policy S25 of the ALPP1 and the adopted SPD.

Ecology / Biodiversity Enhancements

- 11.78. Policies S2, S35 and S36 of the ALLP1 seek to promote sustainable development whilst protecting and enhancing biodiversity assets and water quality within the Plan area. The application has been supported by an Ecological Appraisal of the site.
- 11.79. Paragraph 174 of the NPPF requires that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, minimising impacts on and providing net gains for biodiversity.
- 11.80. The site currently comprises an open field of improved grassland with species poor hedges on its boundary, with scattered trees and a newly constructed housing estate to the east. An open ditch lies to the north boundary and newly created SUDS pond also to the north.
- 11.81. There are no significant constraints on development of this site. Amphibians, Bats, badgers and nesting birds are known to occur in the local area, the report detailed that there were no conclusive evidence of any specifically protected

species regularly occurring on the site or the surrounding areas which would be negatively affected by site development following the mitigation proposed.

- 11.82. The vegetation to be cleared has low ecological significance in the local area; the trees close to but outside the development area are generally of low quality.
- 11.83. The protection of trees on the site boundary and landscaping will promote structural diversity in both the canopy and at ground level and will encourage a wider variety of wildlife to use the site than already occurs.
- 11.84. The report recommends measure to mitigate the impact of the proposed development will have on habitats within the site and concludes that no further ecological surveys are required. The mitigation measures can be controlled via condition.

Response to Neighbour Representations

- 11.85. Neighbour concerns relate to issues of noise, shadow flicker, transport and the sustainability of the site, parking and access arrangements. As addressed above, matters relating to projected traffic increases, the proposed vehicular access and parking arrangements are deemed acceptable by Cumbria Highways and can be secured by planning condition. They have removed their original request for a ghost hand turn on the A595. The site is deemed to be in a sustainable location with satisfactory pedestrian links to village facilities. No concern has been raised by CCC with regards to the lack of capacity of the village school. Noise and shadow flicker reports have been provided by the developer and these have been assessed by Environmental Health Officers who are satisfied that an acceptable level amenity for future occupiers can be achieved.
- 11.86. The site is an allocated housing site within the Part 2 Local Plan and therefore housing has been accepted on the site. The developer has demonstrated an acceptable layout for the site can be achieved for the density proposed that addresses the constraints of the site.

Local Financial Considerations

- 11.87. Having regard to S70 (2) of the Town and Country Planning Act the proposal has possible financial implications arising from New Homes Bonus and Council Tax Revenue.

12. Conclusions

- 12.1. The site represents a sustainable location for this scale of development, adjacent to the existing built environment for Thursby. As an allocation for housing within Part 2 of the Plan, the principle of housing at this location has been deemed to be acceptable. The number of units within the Part 2 allocation is not a sealant number and therefore if an appropriate layout can be achieved which addresses all issues, which officers consider has been achieved for the site than the

number of units is acceptable with the scale of development considered to be appropriate to the size of the settlement.

- 12.2. The proposal is in accordance with the Allerdale Local Plan Part 1 and 2, taken as a whole, specifically in relation to settlement limits, locational sustainability, highway safety, flooding/drainage, ecology, heritage, landscape impact, visual and residential amenity. As such, the recommendation is to grant planning permission, subject to conditions detailed in Annex 1, and subject to the signing of a section 106 to secure the matters detailed at the outset of this report.

13. **RECOMMENDATION**

GRANT SUBJECT TO A SECTION 106 AGREEMENT

Annex 1

CONDITIONS

Time Limit:

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

In Accordance:

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

Amended 20091.90.9.SL.LP Revision A Location Plan 21.03.2022
Amended 20091.90.9.SL.CL Rev C Site Layout Colour Layout 21.03.2022
Amended 20091.90.9.SL.GA Rev B Site Layout General Arrangements 21.03.2022
210920-THURSBY-SH-TOPO-001 Revision B Topographical Survey
Amended 20091.90.9.SL.ET Rev B Site Layout Elevation Treatment 21.03.2022
Amended 20091.90.9.SL.HS Revision B Site Layout Hard Surfaces 21.03.2022
Amended 20091.90.9.SL.PP Revision B Site Layout Parking Provision 21.03.2022
Amended 20091.90.9.SL.BT Revision C Site Layout Boundary Treatments 21.03.2022
Amended SD100-A-001 Revision A External Plot Finishes – High Open Boarded Fence 19.01.2022
Amended SD100-A-002.1 Revision A External Plot Finishes – Open Boarded Timber Side Gate Details 19.01.2022
Amended SD100-A-002.2 External Plot Finishes – High Feather Edge Board Timber Side Gate Details 19.01.2022
Amended SD100-A-004 Revision A External Plot Finishes – High Feather Edge Fence 19.01.2022
Amended SD100-A-005 Revision A External Plot Finishes – Acoustic Fencing 19.01.2022
Amended SD100-A-012 External Plot Finishes – Trip Rail 19.01.2022
Amended SD100-B-001 Revision A External Plot Finishes – Brick Boundary Wall 19.01.2022
Amended SD100-C-001 External Plot Finishes – Estate Railing 19.01.2022
Amended SD100-C-002 External Plot Finishes – 1200mm Plain Top Railing 19.01.2022
Amended SD100-C-003 External Plot Finishes – 900mm Plain Top Railing 19.01.2022

Amended SD100-C-004 External Plot Finishes – Rail and Post fixing to masonry wall 19.01.2022

Amended SD100-C-005 External Plot Finishes – SUDS Fencing 19.01.2022

Amended SD100-D-001 External Plot Finishes – Stock Proof Fence 19.01.2022

Amended 20091.90.9.SL.ML Revision B Layout Management Layout 21.03.2022

Amended 20091.90.9.SL.SS Revision A Site Layout Site Sections 11.02.2022

Amended 7628/07 Revision H External Works Layout 21.03.2022

Amended 20091.90.9.SL.ASSD Revision B Site Layout Affordable & Space Standard Distribution 21.03.2022

Amended SHTP2-WW01 Revision J Landscape Plan 21.03.2022

Amended SHTP2-WW02 Revision J Landscape Management Plan 29.03.22

Amended 7628-PO1 Revision C Proposed Drainage Layout 11.02.2022

Amended 20091.90.9.SL.CSWMP Revision D Construction Surface Water Management Plan 21.03.2022

Amended 7628/01 Revision H Proposed Drainage Layout 21.03.2022

Amended 20091.90.9.SL.LOP Revision B Land Ownership Plan 21.03.2022

Amended BFD-PLP1 Revision A Branford M4(2)S Planning Layout 1 11.02.2022

Amended BFD-PLE1/1 Revision B Branford M4(2)S Planning Elevation 1/1 11.02.2022

Amended BFD-PLE1/2 Revision B Branford M4(2)S Planning Elevation 1/2 11.02.2022

Amended MTN-PLP1 Revision B Masterton (A) Planning Layout 1 11.02.2022

Amended MTN-PLE1/1 Revision D Masterton (A) Planning Elevation 1/1 11.02.2022

MTN-PLE1/2 Revision D Masterton (A) Planning Elevation 1/2 11.02.2022

Amended SAN-PLP1 Revision C Sanderson (A) Planning Layout 1 11.02.2022

Amended SAN-PLE1/1 Revision C Sanderson (A) Planning Elevation 1/1 11.02.2022

Amended SAN-PLE1/2 Revision C Sanderson (A) Planning Elevation 1/2 11.02.2022

Amended FFD-PLP1 Revision B Fulford M4(2)S Planning Layout 1 21.03.2022

Amended FFD-PLE1/1 Revision B Fulford M4(2)S Planning Elevation 1/1 21.03.2022

Amended FFD-PLE1/2 Revision B Fulford M4(2)S Planning Elevation 1/2 21.03.2022

Amended WXD-PLP1 Revision B Wexford M4(2)S Planning Layout 1 (Front) 11.02.2022

Amended WXD-PLE1/1 Revision B Wexford M4(2)S Planning Elevation 1/1 (Front) 11.02.2022

Amended WXD-PLE1/2 Revision B Wexford M4(2)S Planning Elevation 1/2 (Front) 11.02.2022

Amended SPR-PLP1 Revision C Spencer (A) Planning Layout 1 11.02.2022

Amended SPR-PLP2 Revision C Spencer (A) Planning Layout 2 11.02.2022

Amended SPR-PLE1/1 Revision D Spencer (A) Planning Elevation 1/1
11.02.2022

Amended SPR-PLE1/2 Revision D Spencer (A) Planning Elevation 1/2
11.02.2022

Amended SPR-PLE2/1 Revision D Spencer (A) Planning Elevation 2/1
11.02.2022

Amended SPR-PLE2/2 Revision D Spencer (A) Planning Elevation 2/2

Amended PRN-PLP1 Revision D Pearson (A) Planning Layout 1 11.02.2022

Amended PRN-PLE1/1 Revision D Pearson (A) Planning Elevation 1/1
11.02.2022

Amended PRN-PLE1/2 Revision D Pearson (A) Planning Elevation 1/2
11.02.2022

Amended HWN-PLP1 Revision B Hewson (A) Planning Layout 1 11.02.2022

Amended HWN-PLE1/1 Revision D Hewson (A) Planning Elevation 1/1
11.02.2022

Amended HWN-PLE1/2 Revision D Hewson (A) Planning Elevation 1/2
11.02.2022

BKF-PLP1 Beckford M4(3)S Planning Layout 1

BKF-PLE1/1 Beckford M4(3)S Planning Elevation 1/1

BKF-PLE1/2 Beckford M4(3)S Planning Elevation 1/2

BKF-PLP2 Beckford M4(3)S Planning Layout 2

BKF-PLE2/1 Beckford M4(3)S Planning Elevation 2/1

BKF-PLE2/2 Beckford M4(3)S Planning Elevation 2/2

RFD-PLP1 Revision A Rushford M4(2)S Planning Layout 1

RFD-PLE1/1 Revision A Rushford M4(2)S Planning Elevation 1/1

RFD-PLE1/2 Revision A Rushford M4(2)S Planning Elevation 1/2

NWF-PLP1 Newford M4(3)S Planning Layout 1

NWF-PLE1/1 Newford M4(3)S Planning Elevation 1/1

NWF-PLE1/2 Newford M4(3)S Planning Elevation 1/2

GB-PLP1/1 Revision B Single Garage 1 Planning Drawing 1/1

GB-PLP1/2 Revision B Single Garage 1 Planning Drawing 1/2

GB-PLP2/1 Revision B Double Garage 1 Planning Drawing 2/1

GB-PLP2/2 Revision B Double Garage 1 Planning Drawing 2/2

GB-PLP3/1 Revision A Twin Garage 1 Planning Drawing 3/1

GB-PLP3/2 Revision A Twin Garage 1 Planning Drawing 3/2

Material Schedule

Amended Arboricultural Impact Assessment February 2022 11.02.2022

Amended Construction and Environmental Management Plan Revision A
11.02.2022

Amended Noise Report 11.02.2022

Amended Shadow Flicker Assessment received 31.03.2022

Appendix A – Shadow Flicker Output Map Figure 1 received 11.02.2022

Appendix B – Detailed Shadow Flicker Times at Receptors received
11.02.2022

Amended Transport Assessment 18.02.2022

Supporting Statement Transport Issues 23.02.2022

Flood Risk Assessment Report and Addendum report

Preliminary Ecological Report

Ground Investigation Report

Travel Plan Framework Report

**Archaeological Desk-Based Assessment and Geophysical Survey
Archaeological Assessment 2
Rev. A 20.04.21 Landscape Maintenance & Management Plan**

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

Pre-commencement conditions:

- 3. 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 fully occupied.**

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

- 4. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.**

This written scheme will include the following components:

- i) An archaeological desk-based assessment and evaluation;**
- ii) An archaeological recording programme the scope of which will be dependent upon the results of the evaluation;**
- iii) Where significant archaeological remains are revealed by the programme of archaeological work, there shall be carried out within one year of the completion of that programme on site, or within such timescale as otherwise agreed in writing by the LPA: a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the LPA, completion of an archive report, and submission of the results for publication in a suitable journal.**

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination and recording of such remains, in compliance with the National Planning Policy Framework and Policy S27 of the Allerdale Local Plan (Part 1), Adopted 2014.

5. Development shall not commence until a Construction Traffic Management Plan has been submitted to an approved in writing by the Local Planning Authority. The CTMP shall include details of:

- a) pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;**
- b) details of proposed crossings of the highway verge;**
- c) retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;**
- d) cleaning of site entrances and the adjacent public highway;**
- e) details of proposed wheel washing facilities;**
- f) the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;**
- g) construction vehicle routing;**
- h) the management of junctions to and crossings of the public highway and other public rights of way/footway;**
- i) details of any proposed temporary access points (vehicular / pedestrian) and any proposed TTRO necessitated by this development.**
- j) surface water management details during the construction phase.**

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway safety and pedestrian safety, to accord with the National Planning Policy Framework and policy S22 of the Allerdale Local Plan (Part 1), 2014.

Post-commencement/Pre use commencing conditions:

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

Reason: In the interests of highway safety.

7. The dwellings hereby approved shall not be occupied until the vehicular access, parking and turning requirements have been constructed for that dwelling in accordance with the approved plan and have been brought into use. The vehicular access, parking and turning provisions shall be retained (including the garage parking spaces as identified on Drawing Number 20091.90.9.SL.PP Revision B received 21.03.2022 and be capable of use at all times for parking of motor vehicles thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access, parking and turning provision when the development is brought into use.

8. 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), Adopted July 2020.

9. The approved means of enclosures as shown on drawing number 20091.90.9.SL.BT Revision C Site Layout Boundary Treatments received 21.03.2022 shall be constructed prior to the approved dwelling being occupied. All means of enclosures 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, in compliance with the National Planning Policy Framework and Policy S4 and S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

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

Reason: To ensure the long term maintenance and management of public open space and landscaped areas within the residential estate, in accordance with the National Planning Policy Framework and Policies S4, S24, S25 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

11. No dwelling hereby approved shall be occupied until the full mitigation measures as detailed in the Revised Noise Assessment received 11.02.2022 have been fully installed and operational and shall be permanently maintained at all times thereafter.

Reason: In order to protect the amenity of the occupiers of the dwelling in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 12. Notwithstanding the submitted information the equipped play space to the front of Plots 61-63 shall incorporate as a minimum four individual pieces of play equipment (excluding seating and bin) that provide for an age range of both 0-5 year olds and 5+ year olds. Full details of the play equipment and its layout, maintenance and management, shall be submitted to the Local Planning Authority for approval in writing prior to any works commencing on the equipped play area. The equipped play area shall be constructed and made available for use as approved, before the 40th dwellinghouse hereby approved is occupied.**

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

- 13. The surface water drainage system hereby approved shall be fully implemented prior to the development being occupied and shall be maintained operational thereafter.**

Reason: In the interests of highway safety and environmental management in compliance with the National Planning Policy Framework and Policies S2 and S29 of the Allerdale Local Plan (Part 1), Adopted July 2104.

Other:

- 14. All landscaping works shall be carried out in accordance with the approved Landscape Plan Drawing Number SHTP2-WW01 Rev J received 21.03.2022 within the first planting season following the occupation of the dwellinghouse(s) approved 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 others of 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 on the locality.

- 15. 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.

16. The works shall be implemented solely in accordance with the mitigations measures outlined in Section 7 of the Preliminary Ecological Appraisal.

Reason: To safeguard the habitat of protected species in compliance with the National Planning Policy Framework and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

17. The development shall be carried out in strict accordance with the approved Construction Management Plan. The site operating hours shall be restricted to 7.30am – 6:00pm Monday to Friday, 8:00am – 1:00pm Saturdays and no working on Sundays or Bank Holidays.

Reason: In the interest of highway safety and preserving the amenity of neighbouring residents, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

