

## Allerdale Borough Council

### Full Planning Application FUL/2022/0257

#### Development Panel Report

**Reference Number:** FUL/2022/0208

**Valid Date:** 12/09/2022

**Location:** Kelsick Moss House, B5302 Abbeytown to Wheyrigg, Abbeytown, CA7 4TJ

**Applicant:** Mr Ewan and Dr Kirsty Slight

**Proposal:** Replacement dwelling with associated landscaping and parking.

#### **RECOMMENDATION**

**GRANT subject to planning conditions.**

#### **1. Summary**

<b><u>Issue</u></b>	<b><u>Conclusion</u></b>
Principle	<p>The development proposal is in accordance with criteria (g) of Policy S3 'Spatial Strategy and Growth' and the principle of development is acceptable subject to compliance with Policy S31 'Reuse of Rural Buildings and Replacement Dwellings in the Countryside' in the Allerdale Local Plan (Part 1).</p> <p>Policy S31 also states that the building should be replaced without substantial alteration to the original footprint. The development proposal involves the relocation of the dwelling towards the centre of the site (approximately 40 metres into the site from the north-eastern boundary). Whilst the relocation is contrary to Policy S31, Officers consider that the applicants have provided sufficient justification for this and included appropriate mitigation measures for the new location.</p>
Design	<p>Officers consider that the simple arrangement results in a sensitive design that brings together traditional and contemporary elements. Overall, the proposed development will deliver a high-quality residential scheme that is visually attractive, and a significant</p>

	betterment compared to the existing dilapidated dwelling. Officers consider that it will enhance the existing aesthetic of the site and it is therefore in accordance with Policies S4 and S31 of the Allerdale Local Plan (Part 1).
Landscape and Visual Impact	The proposed landscaping scheme combined with the sensitive layout and design will ensure that development does not encroach into the open countryside or have adverse impacts on the landscape character. The development is therefore acceptable under the provisions of Policy S33 of the Allerdale Local Plan (Part 1).
Flood Risk	The replacement dwelling will be located outside any known areas of flood risk. This will clearly be of benefit to the occupants having a property that is at reduced risk of flooding. It also appears unlikely that the proposals would have any material effect on flood risk elsewhere. The Environment Agency have not raised any objections to the application, and it is considered to be in accordance with Policy S29 of the Allerdale Local Plan (Part 1).
Access	Relocating the dwelling will enable the access to be relocated and a 'pull in' provided for deliveries and visitors. The improved access will allow unobstructed visibility for over 200 metres in both directions. A shared courtyard will provide sufficient parking provision. The development is therefore acceptable in terms of access and highway safety.
Ecology	The applicant has submitted an Ecological Assessment which concludes that the development will not result in any negative impacts upon designated sites. The submitted Landscape Plan shows that the majority of the trees and hedgerow boundary will be retained and enhanced by further planting. Officers, therefore, consider that the development is acceptable under the provisions of Policy S35 of the Allerdale Local Plan (Part 1).

## 2. Proposal

- 2.1. The proposal involves the demolition of the existing dwelling and replacement with a new dwelling and associated landscaping and parking.
- 2.2. The plans for consideration are:

(02)001 – Site Location Plan (Received 09/09/2022)  
(02)200 – Existing Plans and Elevations (Received 13/09/2022)  
(02)020 – Proposed Site Plan Rev B (Received 13/01/2023)  
(02)021 – Proposed Plans Rev B (Received 13/01/2023)  
(02)022 – Proposed NE and SE Elevations Rev B (Received 13/01/2023)  
(02)023 – Proposed NW and SW Elevations Rev B (Received 13/01/2023)  
(02)024 – Proposed Garage Plans and Elevations (Received 13/01/2023)  
(02)025 - Landscape Plan (Received 13/01/2023)  
(02)026 - Proposed Tree Planting (Received 13/01/2023)  
Planning Submission Amended (Received 23/01/2023)  
Planning Assessment & Appendix 1 Permitted Development Indicative Plans  
(Received 09/12/2022)  
Proof of Residential Use (Received 25/10/2022)  
Topographical Survey (Received 09/09/2022)  
Flood Risk Assessment (Received 23/11/2022)  
Structural Report (Received 19/12/2022)  
Drainage Strategy (Received 25/08/2022)  
Drainage Plan Rev B (Received 13/01/2023)  
Appendix I Foul Drainage Form (Received 13/09/2022)  
BS5837 Tree Report Amended (Received 23/01/2023)  
Bat Activity Report (Received 25/08/2022)  
Preliminary Ecological Appraisal (Received 25/08/2022)

### **3. Site**

- 3.1. The application site comprises an existing dwelling and its surrounding land on the B5302 between Wheyrigg Hall and Abbeytown. The market town of Wigton is approximately 5 miles to the east. The land surrounding the dwelling extends to 0.6 hectares with a tree copse to the northern corner and smaller tree belts forming the north-western and south-eastern boundaries. Established hedgerows fill the gaps between the tree belts and the existing dwelling is located on the road frontage in the north-eastern corner of the site.
- 3.2. The existing dwelling is in a dilapidated condition with concerns regarding its structural integrity. Vehicle access to the site is immediately to the west of the existing dwelling with parking to the rear. The existing dwelling is not a listed building, nor are there any in close proximity. Part of the site is located within Flood Zone 2 and the remainder is in Flood Zone 1 with undulations creating level differences of less than 1 metre across the site. The site is not subject to any landscape designations.
- 3.3. The development proposal involves the demolition of the existing dwelling and replacement with a new dwelling and associated landscaping and parking. Due to site constraints, the application proposes a revised site layout with the dwelling relocated towards the centre of the site. The new dwelling will be single storey with 3 bedrooms and an attached single bedroom annex.
- 3.4. The plan form has been designed with 2 pitched roof rectangular blocks that are linked together with smaller pitched and flat roof sections. The north-east block is traditional in its design with stone walling and slate roof. This block houses the

guest bedroom and annex. To the south-west sits a more contemporary timber clad block with shallower pitch roof housing the primary living spaces. The south-west elevation includes floor to ceiling glazing with views over the landscaped garden.

#### **4. Relevant Planning History**

None.

#### **5. Representations**

##### **5.1. Environment Agency**

5.2. The site is within 20 metres of a main river, separated from it by the B5302, and the Environment Agency have no objection to the development proposed. The site is located in Flood Zone 2 and Flood Risk Standing Advice should be applied.

##### **5.3. Dundraw Parish Council**

5.4. The Parish Council has no objections to the application.

##### **5.5. United Utilities**

5.6. National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

5.7. United Utilities recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

5.8. If the applicant intends to receive water and/or wastewater services from United Utilities, they should contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

5.9. No further representations have been received to date.

#### **6. Environmental Impact Assessment**

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

#### **7. Duties**

7.1. Does the site affect the setting of a listed building?

No

7.2. Is the site within a designated conservation area?

No

7.3. Is the development likely to have a significant effect upon a Natura 2000 designation?

No

## **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 S29 Flood Risk and Surface Water Drainage

Policy S31 Reuse of Rural Buildings and Replacement Dwellings in the Countryside

Policy S33 Landscape

Policy S35 Protecting and Enhancing Biodiversity and Geodiversity

Policy DM14 Standards of Good Design

Policy DM17 Trees, Hedgerows and Woodland

## **9. Other Material Considerations**

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

## **10. Policy Weighting**

10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 and the Allerdale Borough Local Plan (Part 2) 2020 policies have primacy.

## **11. Assessment**

### **Principle of Development**

11.1. Policy S3 'Spatial Strategy and Growth' from the Allerdale Local Plan (Part 1) states that new development will be located in accordance with the spatial strategy and will be concentrated within the towns and villages identified in the settlement hierarchy. The scale of development proposed will be expected to be commensurate to the size of the settlement and reflect its position in the settlement hierarchy.

11.2. Proposals outside of defined settlements will be limited to:

- a) Housing essential for rural workers in the operation of a rural based enterprise;
- b) Housing following the rural exceptions policy;

- c) An appropriate diversification of an existing agricultural or land-based activity;
- d) The optimal viable use of a heritage asset or appropriate enabling development to secure the future of heritage assets;
- e) A recreation or tourism proposal requiring a countryside location;
- f) Facilities essential to social and community needs;
- g) The replacement of an existing dwelling;
- h) A suitably scaled extension to an existing building;
- i) The conversion or reuse of a suitable existing building;
- j) Other development requiring a countryside location for technical or operational reasons.

11.3. The development proposal is in accordance with criteria (g) and the principle of development is acceptable subject to compliance with Policy S31 'Reuse of Rural Buildings and Replacement Dwellings in the Countryside' within the Allerdale Local Plan (Part 1).

### **Replacement Dwelling**

11.4. Policy S31 states that proposals to replace/rebuild dwellings in the open countryside will be acceptable provided that:

- a) The proposal is well designed, of appropriate scale for its location and does not detract from the character or distinctiveness of the location;
- b) The relevant building to be replaced substantially exists and is not deemed to have lost its lawful use as a dwelling.

11.5. Proposals for the replacement of dwellings in the countryside will only be acceptable in line with national policy and where the building can be replaced without substantial alteration to the original footprint.

11.6. Paragraph 149 of the National Planning Policy Framework (NPPF) also states that replacement dwellings are acceptable provided that the new building is in the same use and not materially larger than the one it replaces.

11.7. Criteria (a) of Policy S31 will be discussed in detail in the following section of the report.

11.8. With regards to criteria (b), the existing dwelling is in a poor state of repair with parts of the rear external walls collapsed and the internal rooms exposed. However, the dwelling substantially exists, and the applicant has submitted evidence (Proof of Residential Use - received 25/10/2022) that demonstrates that the lawful use as a dwelling has not been lost.

11.9. The dwelling was occupied as a main residence until September 2016. Following this, the dwelling has been occupied frequently by various owners (with main residences elsewhere) who had intentions to renovate the property. The applicants have owned the property since August 2021, and they have undertaken works to ensure that access to and from the site is safe. Officers

consider that the submitted evidence is sufficient in establishing that the application site has retained its lawful residential use.

- 11.10. Policy S31 also states that the building should be replaced without substantial alteration to the original footprint. The development proposal involves the relocation of the dwelling towards the centre of the site (approximately 40 metres into the site from the north-eastern boundary). Whilst the relocation is contrary to Policy S31, Officers consider that the applicants have provided sufficient justification for this and included appropriate mitigation measures for the new location.
- 11.11. In terms of the justification for relocating the dwelling, the submitted Flood Risk Assessment demonstrates that historically pluvial flooding has occurred to the east of the existing dwelling. The Structural Survey confirms that as a result the high-water content of the ground around the dwelling is causing softening to the ground and structural movement to occur. This is evident in visible tie rods and pattress plates being used to restrain the outward movement of walls. There is also structural cracking throughout the dwelling and the west external wall is considerably out of plumb.
- 11.12. As such, the replacement dwelling will be located outside any known areas of flood risk. This will clearly be of benefit to the occupants having a property that is at reduced risk of flooding.
- 11.13. The new location of the dwelling will also provide safer vehicle access to and from the site. Both of these material considerations are discussed in further detail in later sections of the report.

## **Design**

- 11.14. Policy S4 'Design Principles' from the Allerdale Local Plan states that achieving high quality design for all development is a key objective of the Local Plan. Proposals for all new development will therefore be required to demonstrate high standards of design and must:
- Be visually attractive, of appropriate scale and appearance;
  - Respond positively to the character, history and distinctiveness of its location and integrate well with existing development;
  - Enhance, protect and integrate effectively with the historic and natural environment;
  - Function well by ensuring suitable standards of access and amenity are achieved and maintained in relation to the development itself and the local area;
  - Incorporate sustainable construction methods that reduce energy consumption and allow for future adaptation in response to changing life needs.

- 11.15. Criteria (a) of Policy S31 requires replacement dwellings to be well designed, of appropriate scale for its location and does not detract from the character or distinctiveness of the location.
- 11.16. The new dwelling will be single storey with 3 bedrooms and an attached single bedroom annex. The plan form has been designed with 2 pitched roof rectangular blocks that are linked together with smaller pitched and flat roof sections.
- 11.17. The north-east block is traditional in its design with stone walling and slate roof. This block houses the guest bedroom and annex. To the south-west sits a more contemporary block with timber and aluminium cladded walls and an aluminium and green roof. This block will accommodate the primary living spaces with floor to ceiling glazing on the south-west elevation. The windows and doors will be constructed from aluminium.
- 11.18. In terms of scale, the NPPF states that replacements dwellings should not be materially larger than the one it replaces. This accounts for any extensions or alterations allowed under Permitted Development Rights. As such, the existing dwelling could be significantly extended beyond the footprint of the proposed dwelling. As such, Officers consider the replacement dwelling to be an appropriate scale for its location.
- 11.19. Officers consider that the simple arrangement results in a sensitive design that brings together traditional and contemporary elements. The surrounding area is characterised by scattered individual dwellings and farmsteads in courtyard or clustered arrangements. Most of these are set back some distance from the B5302. The proposed layout positively reflects the traditional character of the area and will appear as a cluster of rural buildings. The siting of the detached garage will also ensure that the development retains a direct relationship with the road. The location of the garage was amended following discussions with the applicants to relocate it away from Flood Zone 2.
- 11.20. Overall, the proposed development will deliver a high-quality residential scheme that is visually attractive, and a significant betterment compared to the existing dilapidated dwelling. Officers consider that it will enhance the existing aesthetic of the site and it is therefore in accordance with Policies S4 and S31 of the Allerdale Local Plan (Part 1).

### **Landscape and Visual Impact**

- 11.21. Policy S33 Landscape from the Allerdale Local Plan (Part 1) states that landscape character and local distinctiveness of the Plan Area shall be protected, conserved and, wherever possible, enhanced.
- 11.22. The submitted Landscape Plan and Tree Report ensures that most of the existing trees and hedgerow boundary will be retained and enhanced. As part of good arboricultural practice, the Tree Report does recommend that 3 low value trees



are felled to help control the spread of chalara ash dieback and to remove potential future issues before the site is developed.

- 11.23. The existing landscaping will be strengthened and enhanced through additional mature tree planting and hedgerow infill planting along the boundaries. This will increase the permeability of views over and across the site and contribute to integrating the proposed development within the site. Given the open nature of the application site and its surroundings, it is considered appropriate to remove permitted development rights relating to outbuildings, hard surfacing and gates, fences and walls to ensure any future development is of a scale and nature suitable for the surrounding area.
- 11.24. The proposed landscaping scheme combined with the sensitive layout and design will ensure that development does not encroach into the open countryside or have adverse impacts on the landscape character. The development is therefore acceptable under the provisions of Policy S33.

### **Flood Risk**

- 11.25. Policy S29 'Flood Risk and Surface Water Drainage' states that developments should be avoided in locations that would be at risk of flooding or where it would increase the level of flooding elsewhere.
- 11.26. The EA Flood Map for Planning shows that part of the site is located within Flood Zone 2 and the remainder is in Flood Zone 1. The replacement dwelling will be located wholly in Flood Zone and the submitted Flood Risk Assessment concludes that the risk of fluvial flooding is negligible.
- 11.27. The submitted Flood Risk Assessment also demonstrates that historically pluvial flooding has occurred to the east of the existing dwelling. The Structural Survey confirms that as a result the high-water content of the ground around the dwelling is causing softening to the ground and structural movement to occur. This is evident in visible tie rods and pattress plates being used to restrain the outward movement of walls. There is also structural cracking throughout the dwelling and the west external wall is considerably out of plumb.
- 11.28. The new dwelling will be located at a higher elevation than the existing building dwelling meaning that it will be less susceptible to pluvial inundation during extreme rainfall events. As such, the risk of pluvial flooding is negligible.
- 11.29. As the replacement will be relocated closer to Flood Zone, the applicants have agreed to incorporate the following mitigation measures within the scheme:
- Finished floor level to be raised above the 1 in 100-year (fluvial) and 1 in 200-year (tidal) flood levels.
  - Consumer units mounted so that the operating switches, (of circuit breakers, RCDs and the like therein) are 1350 - 1450 mm above floor level.

- Installation of cables from above (dropping down from ceiling level as opposed to coming up from under floor level).

11.30. In conclusion, the replacement dwelling will be located outside any known areas of flood risk. This will clearly be of benefit to the occupants having a property that is at reduced risk of flooding. It also appears unlikely that the proposals would have any material effect on flood risk elsewhere. The Environment Agency have not raised any objections to the application, and it is considered to be in accordance with Policy S29 of the Allerdale Local Plan (Part 1).

### **Access**

11.31. The current vehicular access to the site is from the B5302 immediately to the north-west of the existing dwelling. The access has limited visibility in both directions due to the siting of the dwelling and the hedgerow boundary. Relocating the dwelling will enable the access to be relocated and a 'pull in' provided for deliveries and visitors. The improved access will allow unobstructed visibility for over 200 metres in both directions. A shared courtyard will provide sufficient parking provision. The development is therefore acceptable in terms of access and highway safety.

### **Ecology**

11.32. Policy S35 Protecting and Enhancing Biodiversity and Geodiversity from the Allerdale Local Plan (Part 1) states that nationally and internationally protected sites and species will be afforded the highest level of protection.

11.33. The applicant has submitted an Ecological Assessment which concludes that the development will not result in any negative impacts upon designated sites. The habitats on site are of low to moderate ecological value and include a small area of broadleaved woodland, which is a priority habitat, semi-improved grassland and species-poor hedgerows.

11.34. The submitted Bat Activity Survey Report concludes that no bats were found to be roosting within the existing dwelling and that the development proposal will not lead to any negative impacts on bat roosting populations. Works can proceed at any time without the need for protected species licencing.

11.35. The Ecological Assessment recommends that the future development of the site should seek to reduce tree loss as far as practicably possible. The hedgerows and trees along the western and eastern boundaries provide ecological connectivity with the wider landscape and have potential to support nesting birds and roosting bats. Therefore, they should be retained as part of the development.

11.36. The submitted Landscape Plan shows that the majority of the trees and hedgerow boundary will be retained and enhanced by further planting. Officers, therefore, consider that the development is acceptable under the provisions of Policy S35 of the Allerdale Local Plan (Part 1).

## **12. Conclusions**

- 12.1. The development proposal seeks full planning permission for the demolition of the existing dwelling and replacement with a new dwelling and associated landscaping and parking. Due to site constraints, the application proposes a revised site layout with the dwelling relocated towards the centre of the site.
- 12.2. The relocation of the dwelling is contrary to Policy S31 from the Allerdale Local Plan (Part 1); however, Officers consider that the applicants have provided sufficient justification for this and included appropriate mitigation measures for the new location.
- 12.3. In terms of the justification for relocating the dwelling, the submitted Flood Risk Assessment demonstrates that historically pluvial flooding has occurred to the east of the existing dwelling resulting in structural damage. As such, the replacement dwelling will be located outside any known areas of flood risk. This will clearly be of benefit to the occupants having a property that is at reduced risk of flooding.
- 12.4. Officers consider that the development proposal will deliver a sensitively designed, high quality dwelling that responds positively to the rural character of the surrounding area. The development will deliver a wide range of benefits in terms of additional planting, reduced flood risk and habitat enhancement and provides a significant betterment compared to the current state of the existing dwelling and its surrounding land.
- 12.5. Officers consider that the benefits arising from the development weigh positively in the planning balance and outweigh the lack of accordance with one element of Policy S31. The proposed development is therefore acceptable under the provisions of policies S3, S4, S29, S31, S33 and S35 of the Allerdale Local Plan (Part 1).

### **13. RECOMMENDATION**

**GRANT subject to planning conditions.**

#### **Conditions**

- 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.

- 2. Unless specified by separate condition, the development hereby permitted shall be carried out solely in accordance with the following plans:**

**(02)001 – Site Location Plan (Received 09/09/2022)**

**(02)200 – Existing Plans and Elevations (Received 13/09/2022)**

**(02)020 – Proposed Site Plan Rev B (Received 13/01/2023)**

**(02)021 – Proposed Plans Rev B (Received 13/01/2023)**

**(02)022 – Proposed NE and SE Elevations Rev B (Received 13/01/2023)**

**(02)023 – Proposed NW and SW Elevations Rev B (Received 13/01/2023)**  
**(02)024 – Proposed Garage Plans and Elevations (Received 13/01/2023)**  
**(02)025 - Landscape Plan (Received 13/01/2023)**  
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**Planning Submission Amended (Received 23/01/2023)**  
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**Structural Report (Received 19/12/2022)**  
**BS5837 Tree Report Amended (Received 23/01/2023)**  
**Bat Activity Report (Received 25/08/2022)**  
**Preliminary Ecological Appraisal (Received 25/08/2022)**

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

- 3. The existing dwelling shall be demolished or removed from site no later than two months after the first occupation of the replacement dwelling.**

Reason: The removal is necessary to ensure that the proposal does not result in an increase in the number of non-essential residential units in the open countryside, contrary to Policy S3 of the Allerdale Local Plan (Part 1) and Policy SA2 of the Allerdale Local Plan (Part 2).

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

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

- 5. No development shall commence until a foul and surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must include:**

- i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;**
- ii. (A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations); and**
- iii. A timetable for its implementation.**

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be fully completed prior to occupation and shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory means of surface water drainage and minimise the risk of flooding from the development in comparison to an assessment of its existing and undeveloped state, in compliance with the National Planning Policy Framework, Policies S29 and S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes E and F of Part 1 and Class A of Part 2 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority upon an application submitted to it.**

Reason: The Local Planning Authority wishes to retain control over any proposed alterations in the interests of the appearance of the site.

- 7. All hard and soft landscaping works shall be carried out in accordance with the approved Landscaping Plan and Tree Planting Plan (Drawing References (02)025 and (02)026). The approved scheme shall be fully implemented within the first planning season following the occupation of the dwellinghouse(s) approved and any trees or plants which within a period of five 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 in the locality.

- 8. The dwellinghouse hereby approved shall not be occupied until the vehicular access, parking and turning requirements have been constructed in accordance with the approved plan and have been brought into use. The vehicular access, parking and turning provisions shall be retained and capable of use at all times 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.

- 9. The access drive shall be surfaced in bituminous, or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.**

Reason: In the interests of highway safety and to accord with policy S22 of the Allerdale Local Plan (Part 1) 2014.

**10. The access drive, including construction, surface and drainage details, shall be implemented solely in accordance with the approved details prior to the occupation of any of the dwellinghouses hereby approved.**

Reason: To ensure a satisfactory standard of development and in the interests of highway safety.

**11. No development approved by this permission shall commence until all necessary site investigation works within the site boundary have been carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. The scope of works for the site investigations should be agreed with the Local Planning Authority prior to the commencement.**

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

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

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

**13. Should a remediation scheme be required under condition 4, the approved strategy shall be implemented, and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.**

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

**14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment**

**carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All work shall be undertaken in accordance with current UK guidance, particularly CLR11.**

Reason: To minimise any risk 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.

