Allerdale Borough Council

Planning Application

Reference No: 2/2012/0483
Received: 25 June 2012
Proposed Development: Outline application for the development of up to 80 dwellings including a mix of 2, 3 and 4 bedroom properties
Location: Land at Main Road High Harrington Workington
Applicant: Thomas Armstrong (Construction) Ltd

Drawing Numbers: 12/01/749-01 - Site Location Plan
12/01/749-02 - Indicative Master Plan (Access only)

Supporting Information

Statement of Community Involvement June 2012
Sustainability Appraisal July 2012
Interim Residential Travel Plan August 2012
Amended interim Residential Travel Plan received 21 August 2012
Transport Assessment August 2012
Amended Ransport Assessment Appendix A received 21 August 2012
Foul Water and Utilities Assessment June 2012
Phase 1: Desk Top Study Report
Ecological Scoping Survey
Reptile Survey 2012
Flood Risk Assessment June 2012
Impact of Road Traffic Noise May 2012
Archaeological Desk Based Assessmnet 11/06/2012
Planning Supporting Statement June 2012

Constraints: Settlement Limit HS5
British Coal Area
Adv Control Exclusion - Workington

Policies: Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO22 - Protection of archaeological remains
Policy E35 - Areas and features of nature conservation interests other than those of national and international conservation importance
Policy EN1 - Minimising travel
Policy EN14 - Safeguarding water environment
Policy EN5 - Pollution control
Policy EN6 - Location of potentially polluting development
Policy EN7 - Location of pollution sensitive development
Policy EN25 - Protecting the open countryside
Policy EN3 - Landscaping
Policy EN32 - Protecting wildlife protected by law
Policy EN37 - Protection of open land in urban areas
Policy EN39 - Access for the disabled
Policy EN9 - Contaminated/Derelict land
Policy HS14 - Affordable/local needs housing on large sites
Policy HS15 - Affordable/local needs housing outside settlements
Policy L1 - Provision of open space in housing development
Policy TR11 - Provision for cyclists
Policy TR13 - Provision for pedestrians

Allerdale Local Plan First Alteration, June 2006 (Saved)

Policy HS4 - New housing in open countryside
Policy HS7 - Housing development on unallocated sites
Policy HS9 - Infrastructure requirements for housing

Cumbria and Lake District Joint Structure Plan 2001-2016 (Saved)

Policy ST4 - Major development proposals
Policy ST5 - New development and key service centres outside the Lake District National Park
Policy T30 - Transport assessments
Policy H19 - Affordable housing outside the Lake District National Park
Policy E35 – Areas and features of nature conservation interest other than those of national and international conservation importance

North West of England Plan Regional Spatial Strategy to 2021

From a strategic point of view, the North West of England Regional Spatial Strategy is still currently part of the development plan and is a material planning consideration, although the Government has made clear their intentions that they may abolish at some point Regional Spatial Strategies and Saved Structure Plan Policies, following the enactment of the Localism Act 2011.

The Cumbria Community Strategy 2008–2028
Prepared by the Cumbria Strategic Partnership this strategy aims to create: safe; strong and inclusive communities; health and well-being throughout life; a sustainable and prosperous economy; effective connections between people and places; and a world class environmental quality. The Community Strategy seeks to energise the county’s communities, health, economy, connections and environment over the next 10-20 years. It brings together aspirations and ambitions from a range of thematic and geographic strategies.

The Cumbria Strategic Partnership Sub-Regional Spatial Strategy (SRSpS)

This document sets out the spatial framework. This enables actions that affect specific areas and locations to serve the delivery of the Community Strategy, and it provides the sub-regional spatial framework for the preparation of Local Development Frameworks in Cumbria.

Relevant Planning History: Screening opinion. No EIA required, letter dated 3 February 2012 (SCR/2012/0001).

Representations:

Workington Town Council - No objections

Cumbria County Council Planning - The scheme has been considered at the 29 August 2012 Cumbria County Council Development Control and Regulation Committee (DC&R). DC&R resolved that:

• No objection is raised to the strategic principles of the development, provided that the Local Planning Authority:
  i. is satisfied that that there are no preferable and deliverable brownfield sites elsewhere in Workington that could be used as an alternative development site;
  ii. is satisfied that this site would not take them significantly in excess of their 5-year supply, taking account the distribution of development across the Borough and whether it would meet local needs, and the other sites which are in the pipeline, either with planning permission or current planning applications;
  iii. is satisfied with the type and level of affordable housing proposed;
  iv. ensures that a detailed ecological assessment is carried out prior to determination;
  v. is satisfied that the development reflects and protects the character of the site and its surroundings; that the density and siting of any houses is appropriate to the location; and measures to mitigate any adverse impacts are put in place;
  vi. ensures that information is provided on the presence/absence of any heritage assets located at the site and how their significance will be affected by the development proposal.
A financial contribution should be sought via a S106 agreement for either an extension to Beckstone School should it found to be practical in order to provide additional education facilities, or failing that option for the transportation of the pupil yield, and taking account of the cumulative effects of the other recent planning application 02/2012/0411.

No objection is raised to the strategic principles of the development.

**Cumbria Highways** - No objection to the proposal subject to appropriate highway conditions.

**Highways Agency** - No objections.

**Environment Agency** - No objections to Flood Risk Assessment subject to planning conditions.

**United Utilities** - No objections.

**Natural England** - The Local Planning Authority should consider the impact of the development on protected species.

**Cumbria Wildlife Trust** - No representations received.

**Fire Officer** - No objections at this outline stage.

**The Coal Authority** - No representations received.

**County Archaeologist** - No objections subject to planning conditions.

**Cumbria Constabulary** - No representations received.

**Allerdale Housing Needs Team** - The most recent Workington Survey was carried out in April 2012.

**Allerdale BC Drainage Officer** - No representations received.

**Environmental Protection** - No objections subject to planning conditions.

The application has been advertised on the site and within the local press. Adjoining owners have been notified.

19 letters/emails of objection have been received to date addressing the following concerns:

- Highway safety, traffic volume, congestion, traffic speed and car parking;
- Insufficient capacity of surface sewerage system
• Lack of facilities in nearby locality and the local Beckstone School is full;
• Heavy goods vehicles using the A597 route and large vehicles encroach nearby pedestrian footways;
• Surface water flooding concerns;
• Old overhead cables;
• Loss of wildlife and birds (including nesting barn owls, common buzzards) which use the land for foraging;
• Loss of green field area;
• Harrington does not require affordable housing;
• Loss of wildlife and hedgerows (lizards and burrowing animals);
• Existing houses will be devalued;
• Lack of footpaths;
• Increased traffic noise;
• Entrance in a dangerous position.

Report

Proposal

Outline planning permission is sought for a residential development including a mix of 2, 3 and 4 bedroom properties. The application is in an outline scheme with the vehicular access to be agreed at this stage with all other matters including appearance, landscaping, layout and scale reserved for future determination.

Site Characteristics

The application site currently comprises undulating agricultural land, and access is gained via an agricultural gated entry point off Main Road. The site is in proximity to existing residential areas, and is enclosed by development on three sides (east, south and western boundaries). The northern boundary adjoins a former rail line and further agricultural fields beyond. To the east, the site is separated and screened from existing housing on Northfield Avenue by trees, an embankment and a disused railway line, which forms a public right of way. The southern boundary of the site is formed by Main Road (A597), which provides the main link from High Harrington to the A595. Across from the site, there are a number of detached and semi-detached properties fronting Main Road, and existing residential development located on Castle Close and Little Croft.

There is a bus stop located on Main Road approximately 5 minutes walk south west of the site with half hourly services running to the local centre of Harrington, Workington, Maryport, Whitehaven and beyond.
The application indicates a new access to the site off Main Road at a position 40m west of Little Croft. Access will be taken via a proposed priority junction on the A597 Main Road. The proposed access would be 10m in width at the entrance reducing to 5.5m in width throughout the development. The indicative site layout would incorporate two car parking spaces per dwelling with private off road parking for each dwelling, including driveways and integral free standing garages.

The site has a gross area of 3.177 hectares. Based on the delivery of the site the proposed density ratio is 25 dwellings per hectare. Affordable dwellings are to be provided at 20% which equates to 16 units.

The indicative housing layout is only provided to show that the site can be developed in layout terms in an acceptable manner.

**Consideration of Planning Issues**

In assessing this outline application the following matters need to be assessed:

- Whether the proposed development accords with the provision of local, regional and national planning policy to include the recently published National Planning Policy Framework;
- The principle of housing development in this locality and whether the Council is satisfied that there are no preferable and deliverable brownfield sites elsewhere in Workington that could be used as an alternative development site;
- Whether development of the site would result in an excess of the identified 5-year housing supply quota, taking account the distribution of development across the Borough and whether it would meet local needs, and the other sites which are in the pipeline, either with planning permission or current planning applications;
- The type and level of affordable housing proposed;
- That matters of ecology and archaeology are satisfactorily resolved;
- That the development reflects and protects the character of the site and its surroundings;
- That the density and siting of any houses is appropriate to the location and the number, type and tenure of housing indicatively shown, meet the findings of the Workington housing need survey.
- That any measures to mitigate any adverse impacts are put in place; and
- That the vehicular access is suitable from Main Road.

**National Planning Policy Framework (NPPF)**
Planning Policy Statements have now been replaced by the planning guidance within the National Planning Policy Framework (NPPF), published March 2012.

The NPPF advises the purpose of the planning system is to contribute to the achievement of sustainable development which has 3 dimensions.

“These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.

The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts, should be refused unless other material considerations indicate otherwise. The NPPF does however provide considerable emphasis in the need to have an up-to-date plan in place and the weight that should be given to out-of-date plans.

At the heart of the NPPF is a presumption in favour of sustainable development. When considering planning applications this means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole: or
• specific policies in this Framework indicate development should be restricted”.

Five Year land Supply

A key objective of the NPPF is to deliver a wide choice of high quality homes.

Local planning authorities are required to identify a supply of specific deliverable sites sufficient to provide five years supply of housing against the identified housing requirement. Where there is a record of under delivery of housing, LPA’s need to provide a buffer of an additional 20% to provide a realistic prospect of achieving the planning supply and to ensure choice and competition in the market for land.

Notwithstanding recent planning permissions at Stainburn and Clifton, and including the recent appeal decision relating to ‘The Fitz’ at Cockermouth. Allerdale does not have a 5 year supply of housing land. This is based on the requirements of Policy L4 of the North West of England Plan Regional Spatial Strategy to 2021 (RSS) which, at present, remains part of the Development Plan. Based on past delivery rates it is also necessary to take into account the need to provide an additional buffer of 20% as required by the NPPF.

Principle of Development

Historically on sites elsewhere, previous refusals of planning permission relied heavily on Policy HS4 of the Allerdale Local Plan (First Alteration) which restricts development outside the defined development limits. Whilst it is acknowledged the application site is outside the development limits for Workington as currently defined, in the absence of a five year land supply and having regard to the provision of the NPPF, Policy HS4 cannot now be relied on to resist applications for residential development outside defined development limits. This was confirmed by the Inspector in the recent ‘Fitz’ appeal decision at Cockermouth.

It is therefore necessary to consider whether the proposal represents an appropriate and sustainable form of development.

Harrington forms part of Workington which is the Main Service Centre for the Allerdale BC area. The Cumbria and Lake District Joint Structure Plan 2001- 2016 also defines Workington as as a ‘Key Service Centre’ in the saved and extended JSP Policy ST5.

Whilst the site is outside the current development limits, it is considered that as the site represents a logical extension of development of Harrington that it would not adversely impact on
the character of the wider landscape.

It is therefore considered the proposals does not give rise to any fundamental conflict with the provisions of Local Plan Policy EN25 which seeks to safeguard against development that results in unacceptable harm to the landscape.

Likewise the proposal is not considered to be at odds with the NPPF which seeks recognition for the intrinsic character and beauty of the countryside.

Consideration of Alternative Sites

The application site lies outside the settlement boundary, and is undeveloped, or ‘greenfield’ land. Saved policy HS7 of the Allerdale Local Plan, First Alteration June 2006 seeks the sequential release of housing land, and will seek the development of appropriate previously developed land before approving the development of greenfield sites.

The NPPF however makes it clear “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”

Given the current lack of a five year land supply the presumption in favour of sustainable development must apply and policy HS7 cannot therefore be relied on to resist the development of ‘greenfield’ sites in favour of previously developed land. The development of this site must therefore be considered on its own merits having regard to the presumption in favour of sustainable development.

Prematurity

The question of ‘prematurity’ was addressed by the Inspector in relation to the recent ‘Fitz’ appeal decision at Cockermouth. In her decision letter the Inspector stated:

‘Whilst it is the Council’s position, which is supported by other objections, that the proposed development would undermine the development plan process, the Local Development Framework (LDF) has not even reached draft stage, so there is no plan to be undermined and thus the approach in paragraph 216 of the Framework is not engaged. The Planning System: General Principles sets out a similar approach. Clearly, allowing such a development would, if implemented, have an impact on the spatial distribution of housing. However, the Framework establishes, at paragraph 14, the approach to take where existing plans are out-of-date as already set out above. In this case, the Council’s
approach of putting everything on hold until some undetermined future date is undermining the achievement of housing provision for which there is a well established need’…..

Although the Council are now consulting on the ‘preferred options’ for the Local Plan Core Strategy the draft plan has not yet been submitted to the Secretary of State and the ‘preferred options’ can be given very little, if any, weight in the consideration of planning applications. In view of the Inspectors conclusions detailed above it is considered a reasons for refusal on the grounds of prematurity cannot be sustained.

The site is not allocated in the saved Allerdale Local Plan for any particular use, and is outside but adjacent to the current defined settlement limits of Workington. It lies within the Coastal Zone as defined in the Saved Allerdale Local Plan, and is included in Allerdale Borough Council’s Strategic Housing Land Availability Assessment (SHLAA).

**Design, Layout and Materials**

The report now addresses planning matters relating to the housing proposal itself. The design, layout, materials and public open space and play areas of the development are shown indicatively on the plan and full detail design can be secured by planning condition as reserved matters.

The applicant has indicatively shown that the existing trees and vegetation to the eastern boundary of the site would be retained. The site would undergo significant new hard and soft landscaping to include new vehicular routes, footpaths and parking spaces. Indicative plans show soft landscaping would include tree planting, plus Public Open Space (POS).

Local Plan 1st Alt saved Policy HS8 seeks that new development is well related to existing development. The indicative proposed housing layout, house designs and public open space and play area details are considered to be satisfactory at this stage.

The site is considered to be within a sustainable location and the indicative layout proposed is considered to develop the site efficiently. It is concluded that sustainability objectives would not be undermined by the development of housing in this location.

**Housing Type and Tenure**

The indicative proposed scheme comprises a development of predominantly family homes (2, 3 and 4 bedroom homes). The applicant has confirmed that the affordable element of the scheme is for 100% affordable rent.
Affordable Housing

Allerdale Housing Services has recommended a proportion of affordable housing including house type and tenure in accordance with the most up to date Housing Needs Survey April 2012. The required 20% of the total units proposed amounts to 16 dwellings of varying house types for social rent. After some discussion it has been resolved that the requirement for one bedroom accommodation is not appropriate for a residential development such as this with regard to the suburban location and a lower density site layout. It is considered that a more strategic approach is required to provide for any growing need for this type of 1 bedroom accommodation. The applicant has agreed in principle to the provision of affordable housing for social rent which can be secured by means of a Section 106.

Landscaping

A landscaping scheme can be secured by planning condition as a reserved matter.

Nature Conservation and Biodiversity

The existing site is managed principally as agricultural grazing. The submitted Ecological Scoping Survey 2012 has identified the following:

Great crested newts - Records obtained from Cumbria Biodiversity Data Centre do not include any records of great crested newts from within 2km of the site. A single pond exists within 500m of the site at Harrington Reservoir Local Nature Reserve. A Habitat Suitability Index (HIS) score has been completed for this pond. The HIS for great crested newts is a measure of habitat suitability. It is not a substitute for newt surveys however the report advises the potential for great crested newts to occur on site is considered to be negligible.

Breeding Birds - The Ecological Scoping Survey advises that the risk of breeding birds affected by the proposed works is low, nevertheless, due to the presence of hedgerows, rough grass and scrub and other vegetation on the site, nesting birds could present a constraint to any vegetation clearance undertaken during the nesting bird season. Vegetation would need to be removed outside these months. If vegetation was required to be removed during the nesting season, it should first be surveyed by a suitably experienced ecologist.

Badgers - The site offers no potential for badger setts. It is considered that there is no risk that individual badgers will be
disturbed by the proposed works.

**Bats** - No built structures exist within the site boundary. No large mature trees exist in the site or on the site boundary. The potential for roosting bats to occur on the site is considered to be nil. Individual bats may forage and commute across the site, but considering the fact that the hedge dividing the site is low, fragmented and disconnected from other distinct habitat features it is considered to be highly unlikely to be used as a significant foraging or commuting route. The risk of affecting a significant foraging or commuting route is considered to be negligible.

**Otters** - Records obtained from Cumbria Biodiversity Data Centre do not include any records of otter within 2km of the site. A single pond exists within 500m of the site and a number of small watercourses exist in the vicinity. The habitat on the site is unsuitable for otter holts or couches and it is considered highly unlikely that otters will use the site for any other purpose. The potential for otters to occur on the site is considered to be nil.

**Red Squirrels** - Records obtained from the Cumbria Biodiversity Data Centre include 31 records of red squirrels within 2km of the site. The habitat on site is broadly unsuitable for red squirrels. The scrub and amenity planting bounding the east of the site offers some potential for squirrels to move through the area, but the foraging resource is limited and the suitable habitat is not extensive. The field is exclusively arable and therefore offers no suitable habitat for red squirrels. Red squirrels may move along the edge of the site but the habitat suitable for this is beyond the site boundary and will therefore not be physically affected. It is considered that the site as a whole offers negligible potential for red squirrels. The risk of red squirrels being affected by the proposed works is negligible.

**Reptiles** - Records obtained from Cumbria Biodiversity Data centre include 1 record of slow worm (Anguis fragilis). This record is from 1983 but come from the High Harrington area.

**Common Lizard (Zootoca vivipara)** - A reptile survey has been submitted and no reptiles have been found on site. A mitigation strategy is proposed in that if work do not commence before March 2014 a further reptile/likely absence survey will be required to be conducted; this can be secured by planning condition. Furthermore the requirement for a solid fence to be erected along the eastern boundary of the site; to prevent future residents of the proposed dwellings accessing the habitat lining the footpath can be secured by planning condition.

It is Officer’s opinion that matters with regard to the protection of species protected by law; this has been suitably addressed in
submitted documents.

**Historic Environment Issues**

The submitted geographical survey has identified some features of possible archaeological interest surviving within the site; that may relate to the nearby prehistoric remains. It is recommended that a planning condition can secure an archaeological evaluation and where necessary a scheme of archaeological recording of the site, to be undertaken in advance of the development.

**Cumbria Highways**

No objection subject to planning conditions. Given the size of the development, it is considered that securing the Travel Plan through a condition will be sufficient, and a developer contribution through a Section 106 Agreement is not be required.

**Transport Assessment**

The Transport Assessment including accident statistics are deemed to be acceptable.

**Noise Assessment**

Environmental Protection have no objections subject to planning conditions regarding window design and the provision of acoustic fencing.

**Foul Sewage Disposal**

Foul sewage will be disposed of to the mains sewerage system. United Utilities have accepted this proposal.

**Surface Water Disposal**

Surface water drainage details can be secured by condition and on this basis the proposal is considered to be acceptable in relation to local and national policy.

**Local Facilities**

Cumbria County Council has recognised the increase in pupil numbers that will have an impact upon the school attendance at the nearby Beckstone Primary School. A commuted sum will be required by the County Council as an appropriate contribution to either provide additional classroom space or provide alternative transport provision to other nearby schools. The applicant has agreed in principle to the requirement for a commuted sum (to be negotiated) which can be secured by means of a Section 106.
With all matters considered it is Officer opinion that the scheme seeks to promote sustainable development objectives as set out in the NPPF.

Other Issues

Neighbour concerns relating to noise and disturbance during the construction phase can be appropriately dealt with by a condition securing construction management procedures.

Neighbour concerns relating to house values and loss of view are not a material planning consideration.

With regard to overlooking and loss of view, it is officer opinion that the indicative scheme has adequately shown that it is likely that acceptable separation distances to accommodate the amenity of existing and possible future residents can be achieved and in any event the detailed design will be secured as reserved matters for approval.

Local Financial Implications

The Localism Act provides that local financial considerations may be a material consideration to a planning application. Where financial matters are considered, it is necessary to clarify how financial considerations have impacted on the decision, and why.

The provision of the public open space and local equipped area for play will have a wider benefit for the community.

The provision of 16 affordable homes will provide a benefit to the occupiers of the estate as well as the wider Workington area community.

Were the application to be approved and the dwellings occupied, the development would also attract ‘New Homes Bonus’, where the government will make a payment to the Council to the same value as the council tax raised for net additional new homes and empty properties brought back into use, (with an additional amount for affordable homes), for the following six years.

Conclusion

The proposed housing site is outside the Harrington settlement boundary however having regard to the NPPF, Policy HS4 of the Allerdale Local Plan First Alteration June 2006, which seeks to limit development outside development limits, cannot be relied on in the absence of a five year (+ 20%) supply of housing land.
The NPPF promotes the delivery of a sustainable housing development. Although this is a greenfield site, it is considered to be well related to it, with sufficient infrastructure and facilities existing in the locality and proposed as part of the scheme. Furthermore, Harrington forms part of Workington which is defined as the ‘Main Settlement’ in the Allerdale Local Plan 1999 saved and a ‘Key Service Centre’ in the Cumbria and Lake District Joint Structure Plan 2001-2016 saved.

The site is in walking distance of Beckstone Primary School, local facilities and bus routes. The scheme also provides enhanced community provision to include a play area, public open to promote the sustainability of the site. The site is also well related to employment areas and West Lakes College with good links to strategic highway networks.

It is officer opinion that the development reflects and protects the character of the site and Cumbria Highways have confirmed that the proposed vehicular access arrangements are satisfactory.

Planning matters relating to ecology, archaeology and foul and surface water disposal have been satisfactorily addressed at this stage.

A strategic housing development of this scale is considered to be appropriate to Workington and for the reasons outlined above, the proposed housing development on this site subject to planning conditions and planning obligations to secure open space/play provision and affordable housing units, are considered to be acceptable.

The development of the site would contribute to the ongoing sustainability of Workington as the major settlement within the Allerdale BC plan.

Recommendation: Approve outline planning permission subject to planning conditions and section 106 legal agreement to secure the maintenance of public open space/Locally Equipped Area for Play, an education contribution, maintenance of a surface water scheme and affordable housing provision for social rent.

Conditions/Reasons:

1. Before any works commence details of the layout, scale and appearance of the building(s) and the landscaping of the site (thereafter called the 'reserved matters') shall be obtained in writing from the Local Planning Authority.
   Reason: To enable the Local Planning Authority to assess all the details of the development.
2. The development hereby permitted shall be carried out in accordance with the following plans:
   12/01/749-01 - Site Location Plan
   12/01/749-02 - Indicative Master Plan (access only)
Reason: In order to ensure a satisfactory standard of development.

3. The submission of all reserved matters applications shall be made no later than the expiration of 3 years beginning with the date of this permission and the development shall begin no later than whichever is the later of the following dates:
   a) The expiration of three years from the date of the grant of this permission, or
   b) The expiration of two years from the final approval of the 'reserved matters' or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

4. No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:
   a) Traffic Management Plan to include all traffic associated with the development, including site and staff traffic;
   b) Procedure to monitor and mitigate noise and vibration from the construction and demolition and to monitor any properties at risk of damage from vibration, as well as taking into account noise from vehicles, deliveries. All measurements should make reference to BS7445.
   c) Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution.
   d) Mitigation measures to ensure that no harm is caused to protected species during construction.
   e) A written procedure for dealing with complaints regarding the construction or demolition;
   f) Measures to control the emissions of dust and dirt during construction and demolition;
   g) Programme of work for Demolition and Construction phase;
   h) Hours of working and deliveries;
   i) Details of lighting to be used on site.
The approved statement shall be adhered to throughout the duration of the development.
Reason: In the interests of the amenity of the occupiers of
neighbouring properties, in compliance with Policy EN6 of the Allerdale Local Plan, Adopted 1999 (Saved).

5. **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 their commencement.

   **Reason:** To ensure the satisfactory remediation of the site and minimise risk to public health, and the environment in compliance with Policy EN9 of the Allerdale Local Plan, Adopted 1999 (Saved).

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

   **Reason:** To ensure the satisfactory remediation of the site and minimise risk to public health, and the environment in compliance with Policy EN9 of the Allerdale Local Plan, Adopted 1999 (Saved).

7. **Should a remediation scheme be required, 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 ensure the satisfactory remediation of the site and minimise risk to public health, and the environment in compliance with Policy EN9 of the Allerdale Local Plan, Adopted 1999 (Saved).

8. **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, particularlyCLR11.

Reason: To ensure the satisfactory remediation of the site and minimise risk to public health, and the environment in compliance with Policy EN9 of the Allerdale Local Plan, Adopted 1999 (Saved).

9. Prior to development on site, details of glazing units shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of any approved dwellings and maintained to the satisfaction of the Local Planning authority thereafter. Prior to development on site, all habitable rooms facing the Main Road, Harrington shall be fitted with acoustic trickle vents and shall be installed prior to the occupation of the dwellings and shall be maintained to the satisfaction of the Local planning Authority thereafter.

Reason: In the interest of residential amenity in compliance with saved Policy EN7 of the Allerdale Local Plan June 1999.

10. Prior to development on site, details of the specification of acoustic fencing, to be installed alongside the roadside boundary, shall be submitted to the Local planning Authority and shall be installed prior to the occupation of any dwelling on site and shall be maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: In the interest of residential amenity in compliance with saved Policy EN7 of the Allerdale Local Plan June 1999.

11. Details of the siting, height and type of all means of enclosure/screen walls/fences/other means of enclosure shall be submitted to and approved by the Local Planning Authority before development commences. Any such walls/fences etc shall be constructed prior to the approved building being brought into use/occupied. All means of enclosure so constructed shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.
Reason: To ensure a satisfactory standard of development which is compatible with the character of the surrounding area.

12. Prior to the commencement of works, details of the surface water drainage works, including any attenuation measures to demonstrate no greater run off rate than the existing greenfield site (plus 20% to allow for climate change) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved.

Reason: To ensure a satisfactory means of surface water drainage and minimise the risk of flooding, in compliance with Policy EN14 of the Allerdale Local Plan, Adopted 1999 (Saved) and Policy HS9 of the Allerdale Local Plan, First Alterations June 2006 (Saved).

13. No residential development shall commence until full details of the layout of the locally equipped area of play have been submitted to and approved in writing by the Local Planning Authority. The locally equipped area of play shall be fully implemented prior to the occupation of the 16th dwellinghouse on the site.

Reason: To ensure the satisfactory provision of open space in accordance with Policy L1 of the Allerdale Local Plan, Adopted 1999 (Saved) and Policy HS8 of the Allerdale Local Plan, First Alterations June 2006 (Saved).

14. Prior to the occupation of the first dwelling, the developer shall prepare and submit to the Local Planning Authority for their approval a Travel Plan which shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes including targets and the appointment of a Travel Plan Co-ordinator. The Travel Plan shall be the subject of annual review for a period of five years following the occupation of the first dwelling.

Reason: To aid in the delivery of sustainable transport objectives and Structure Plan Policy T31.

15. Measures to protect species by law and enhance habitats shall be carried out in accordance with the recommendations set out in the Reptile Survey 2012 relating to the Common Lizard (Zootoca vivipara) as set out in para 9.1.2., and with regard to breeding birds the Ecological Scoping Survey report 2012.
Reason: In order to protect species protected by law in accordance with saved Policy EN32 of the Allerdale Local Plan.