

SCHEDULE A: Applications with Recommendation

17/0969

Item No: 01

Date of Committee: 09/02/2018

Appn Ref No:
17/0969

Applicant:
Magnus Homes Ltd

Parish:
Wetheral

Agent:
Hyde Harrington

Ward:
Wetheral

Location: Land adjacent to Garth Cottage, Wetheral Pasture, Carlisle, CA4 8HR

Proposal: Erection Of Dwellings (Outline)

Date of Receipt:
14/11/2017

Statutory Expiry Date
13/02/2018

26 Week Determination
15/05/2018

REPORT

Case Officer: Barbara Percival

ADDENDUM

The application was withdrawn from discussion at the meeting of the Development Control Committee on the 5th January 2018 in order to await the receipt of revised drawings and undertake further consultations. The revised drawings now illustrate the proposed landscaping copse to the south of the application site edged blue. Although this land is outwith the application site, the incorporation of the land within the blue line outline of the application would facilitate the land to be included within the obligations to the Section 106 Agreement.

A bats and breeding birds survey has subsequently been received. The objective of which was to ascertain whether there were any signs of use of the trees by bats, barn owls and other breeding birds; however, this survey was prepared on the basis of the removal of two of the Oak trees which are now protected under TPO 291. The survey found no signs of barn owls or bat activity, other bird activity was observed around the trees and hedges. Notwithstanding the requirements of the applicant to comply with the Wildlife & Countryside Act 1981 (as amended) and given that the survey was undertaken outwith the bat activity period a condition has been included within the decision notice requiring the submission of a further bat and breeding bird survey.

An issue expanded on by a third party questions the requirement for new homes within the District and the potential negative impact on the housing market. The concerns of the third party are noted; however, as Members are aware, the delivery of housing is a key thrust of the spatial strategy necessary in order to respond to changes in local demographics and equally in accommodating in-migration

necessary to support economic growth through helping to sustain an economically active workforce.

1. Recommendation

- 1.1 It is recommended that this application is approved subject to the completion of a legal agreement. If the legal agreement is not completed within a reasonable time, then Authority to Issue is requested to Corporate Director of Economic Development to refuse the application. The Section 106 Agreement to consist of the following obligations:
- a) a financial contribution of £3500 toward a Traffic Regulation Order and signage of a new speed restriction; and
 - b) the planting of a woodland copse to the immediate south of the application site.

2. Main Issues

- 2.1 Principle of development
- 2.2 Impact of the proposal on the character of the area
- 2.3 Whether the scale and design of the dwellings are acceptable
- 2.4 Impact of the proposal on the living conditions of neighbouring residents
- 2.5 Proposed methods for the disposal of foul and surface water drainage
- 2.6 Impact of the proposal on highway safety
- 2.7 Impact of the proposal and the existing trees and hedgerows
- 2.8 Impact of the proposal on biodiversity
- 2.9 Other matters

3. Application Details

The Site

- 3.1 The application site forms part of a field located on the western side of the C1038 county highway leading to Armathwaite. To the north of the application site is Garth Cottage with further residential properties located immediately opposite on the eastern side of the county highway. The eastern (roadside) boundary of the application site is delineated by a mature hedgerow with four Oak trees. A hedgerow also runs along the southern boundary with a stock proof fence and a combination of walls and wooden fences beyond along its northern boundary. The western boundary is devoid of boundary treatment. The application site, equates to approximately 0.89ha and slopes down on a south-north axis with an ridge along the western side of the site. Electricity cables cross the northernmost section of the site.

The Proposal

- 3.2 The application seeks outline planning permission with all matters reserved for residential development. Accordingly, the application seeks to establish

the principle of development only. Access, appearance, landscaping, layout and scale are reserved for subsequent approval and do not form part of this application and would have to be considered at the reserved matters application stage, should Members approve the application.

- 3.3 The proposed indicative documents and drawings illustrate five detached dwellings arranged in a linear form.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of sixteen neighbouring properties and the posting of Site and Press Notices. In response, nine representations of objection have been received to the originally submitted scheme.

- 4.2 The representations identify the following issues:

1. queries if the settlement is sustainable as there is only public transport which runs along the Wetheral to Cumwhinton road;
2. footpaths should be provided linking Wetheral Pastures to Wetheral and Cumwhinton;
3. incremental increase of new dwellings would spoil the nature and history of Wetheral Pastures;
4. potential over-dominance of existing dwellings;
5. contrary to Policies, SP2, SP6, HO2, CC5;
6. the existing trees and hedgerows should be retained;
7. questions if the watercourse adjacent to the B6263 has capacity for the additional dwellings;
8. potential impact on foraging bats should the trees be removed;
9. inaccuracy of submitted drawings;
10. impact on highway safety;
11. questions the contents of the submitted landscape statement;
12. disappointed the loss of a view is not a material planning consideration;
13. potential impact on biodiversity;
14. an independent tree survey should be undertaken;
15. questions the need for more housing;
16. the dwellings should be single storey to mirror those dwellings opposite;
17. questions maintenance of 'buffer' area to north of application site.

- 4.3 A petition against the originally submitted proposal containing 22 signatories has also been received. The issues raised are:

1. too much development for this small hamlet;
2. greenfield site;
3. destruction of mature oak trees, a valued contribution to the local landscape;
4. problems of drainage in system already prone to cause flooding of main road;
5. doubt the sustainability of proposed development;

6. preserve the countryside and boundaries.

4.4 Revised plans have been submitted and third parties notified. In response one representation of objection has been received which outlines the following issues:

1. questions if Wetheral Pastures is a sustainable location;
2. developer should provide footpath linking settlement to Wetheral and Cumwhinton;
3. concerned about proposed overall housing figures within the District.

5. Summary of Consultation Responses

Local Environment, Waste Services: - no objections;

Natural England - relating to protected species, biodiversity & landscape: - no objections;

Cumbria County Council - (Highways & Lead Local Flood Authority): - visibility is generally good, though there is a sign which is obstructing the visibility splay, this may need relocated at the applicants expense. The Highway Authority would ask for a voluntary contribution of £3500 towards a Traffic Regulation Order and signage of a new speed restriction. Accordingly, subject to the imposition of conditions, raise no objections to the proposal on highway grounds.

In respect of surface water. The Lead Local Flood Authority (LLFA) have no records of surface water flooding to the site and the Environment Agency (EA) surface water maps do not indicate that the site is in an area of risk. The developer should demonstrate how they will deal with surface water discharge from the potential development site and measures taken to prevent surface water discharging onto the highway public highway or onto existing neighbouring developments. The applicant would need to undertake detail invasive ground investigation such as Trial pits which would need to be carried out to BRE 365 standards. The applicant would need to provide Calculations to determine if the site is suitable to undertake infiltration techniques and details showing that any proposed attenuation structure etc has the adequate capacity to deal with the volume of water running off the additional impermeable areas, if infiltration is not suitable for the proposed development then the applicant would need to provide detailed assessment, to account for a 1 in 100 year plus 40% storm event, a discharge equivalent to greenfield runoff for the site, discharge location and exceedance routes for the drainage. The developer needs to show that they will not increase the volume of water leaving the site which could potential have a negative impact on existing developments downstream. Accordingly, recommend the imposition of conditions;

National Grid UK Transmission - Plant Protection: - no response received;

Wetheral Parish Council: - observations – there is already a danger of overdevelopment in this area, and housing needs have been more than met by recent development in Cumwhinton. Suggest that if approved, the housing should be single storey, in keeping with nearby dwellings. Members have concerns re: drainage. The Wetheral to Cumwhinton road is one of the first to flood in heavy rain and was closed as recently as last week. Additional buildings could adversely affect this. Suggest the surface water drainage be

re-routed to the Pow Maughan Beck. Suggest that any buildings are built in individualised styles rather than uniform 'estate' style, to be in keeping with existing dwellings. Hedges should be used at perimeter rather than walls, and the hedging should be of the same type as is already used in the area. A bat survey is recommended;

United Utilities: - no objections subject to the imposition of a condition.

6. Officer's Report

Assessment

6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

6.2 The relevant planning policies against which the application is required to be assessed is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP2, SP6, HO2, IP3, IP4, IP6, CC5, GI1, GI3 and GI6 of the Carlisle District Local Plan 2015-2030. Other material considerations are Supplementary Planning Documents adopted by the City Council, in particular 'Achieving Well Designed Housing' and 'Trees and Development'.

1. Principle of Development

6.3 Paragraph 14 of the NPPF outlines that *"at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking"*. The NPPF seeks to promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are small groups of smaller settlements, development in one village may support services in a village nearby.

6.4 The aims of the NPPF is reiterated in Policy HO2 of the Local Plan which allows new housing development other than those allocated will be acceptable within or on the edge of Carlisle, Brampton, Longtown, and village within the rural area provided that the development would not prejudice the delivery of the spatial strategy of the Local Plan and subject to satisfying five criteria.

6.5 When assessing the application against the foregoing policy advice, the application site is well related to the settlement of Wetheral Pastures due to its location adjacent to and opposite other dwellings within the settlement. Wetheral Pastures itself is in close proximity to both Wetheral and Cumwhinton, both of which provide a high level of service provision including a school, public houses, village/community halls, church and shops. Accordingly, the site is considered to be a sustainable location, therefore, the principle for the development of the site for housing is consistent with the objectives of the NPPF.

2. Impact Of The Proposal On The Character Of The Area

- 6.6 The Cumbria Landscape Character Guidance and Toolkit (March 2001) identifies that the site falls within the Cumbria Landscape Character Sub-Type 5c 'Rolling Lowland'. The toolkit advises that key characteristics of this landscape are: open undulating and rolling topography; lowland agricultural landscape dominated by pasture; hedges and hedgerows trees are common on lower ground and sparse on higher ground; and some scrub woodland.
- 6.7 The application site forms part of an agricultural field located on the western side of the C1038 county highway leading to Armathwaite. It is inevitable that the erection of new dwellings on an otherwise undeveloped agricultural field would have some visual impact on the landscape character of the area. In mitigation, however; the application site is located immediately adjacent to and opposite other residential properties within the settlement.
- 6.8 The submitted indicative documents and drawings illustrate the removal of two of the four Oak trees along the eastern (roadside) boundary of the application site. These trees; however, are now protected under Tree Preservation Order 291. The majority of the roadside hedgerow would also be retained, with the exception of the access points, with further planting proposed along the western, southern and northern boundaries of the application site. Furthermore, the submitted Design and Access Statement outlines that the proposed dwellings would be sited so that they would avoid the higher ground in the western section of the field. Accordingly, there would not be such a significant detrimental impact on the character of the area to warrant a refusal of the application.

3. Whether The Scale And Design Of The Dwellings Are Acceptable

- 6.9 Policies seek to ensure the development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. This theme is identified in Policy SP6 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale, massing and established street patterns and by making use of appropriate materials and detailing. Development of this frontage site within the village may have the potential to have a significant impact on the character of the area unless it is sympathetically designed.
- 6.10 As highlighted earlier in the report, the application seeks outline planning permission with all matters reserved. Accordingly, access, appearance, landscaping, layout and scale are reserved for subsequent approval and do not form part of this application and would have to be considered at the reserved matters stage, should Members approve the application. The submitted details however; indicate the siting of five detached dwellings arranged in a linear form served by individual accesses. The Planning

Statement outlining that the scale and design of the proposed development would be appropriate to the scale, form, function and character of the settlement.

- 6.11 In order to ensure that the scale and design and would not form a discordant feature within Wetheral Pasture, conditions are recommended which would require the submission of:

- existing and proposed ground levels and the height of the proposed finished floor levels and ridge height of the proposed dwellings
- details in respect of materials
- boundary treatments
- external hard surface finishes
- landscaping scheme

Furthermore, any subsequent application would have to demonstrate that the development would achieve adequate amenity space and off-street parking to serve each dwelling.

4. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.12 Policies within the Local Plan seek to ensure that development proposals should be appropriate in terms of quality to that of the surrounding area. One of the criterion of Policy SP6 being that the living conditions of the occupiers of adjacent residential properties are not adversely affected by proposed developments. This is echoed and reinforced in the City Council's Supplementary Planning Document (SPD) 'Achieving Well Designed Housing'. The SPD outlines that in order to protect against privacy loss a minimum of 21 metres between primary facing windows and 12 metres between any walls and primary windows should normally be achieved.
- 6.13 The occupiers of several neighbouring residential properties have made representations which have been made available to Members prior to this meeting; however, in respect of the potential to impact on the living conditions of neighbouring properties the objections appear to centre on: loss of privacy, over dominance of existing of dwellings; intensification of use and loss of a view.
- 6.14 As outlined earlier in the report, the layout and scale of the proposed development, amongst other matters, is reserved for subsequent approval. Accordingly, any application for reserved matters approval would have to satisfy the objectives of the relevant policies within the local plan and SPD.
- 6.15 The objections of the occupiers of neighbouring properties are respected; however, as the application seeks only to establish the principle of development, the issue of loss of privacy, over dominance and intensification of use can not be addressed at this stage. In order to ensure that the development does not result in a cramped form of development and respect the scale and character of the area, a further condition is recommended which would restrict to number of dwellings within the application site to a

maximum of five. In respect of loss of a view, as Members are aware, the loss of a view is not a material planning consideration. Nevertheless, to further protect the living conditions of the occupiers of neighbouring properties from unacceptable noise disturbance during construction works, should Members approve the application, a condition is recommended that would restrict construction hours.

5. Proposed Method For The Disposal Of Foul And Surface Water Drainage

- 6.16 There is a clear policy requirement to provide adequate provision for foul and surface water facilities to ensure that sufficient capacity exists prior to commencement of any development.
- 6.17 As highlighted earlier in the report, the application seeks only to establish the principle of development. The application was however; accompanied by a Drainage Strategy Statement and Drainage Strategy Schematic Plan which illustrates that the surface water would be attenuated, at a rate not exceeding 5 litres per second, prior to entering an existing 225mm surface water drain which discharges into an open watercourse to the north east of the application site. Foul water drainage would be via an existing foul sewer which runs parallel to the application site.
- 6.18 Objections from third parties have raised concerns about the likelihood of the development exacerbating existing surface water flooding. The Parish Council, in its consultation response, also raise concerns about surface water drainage from the site as the B6263 currently floods at the proposed discharge point. The Parish Council, therefore, suggests that surface water from the site be re-routed to the Pow Maughan beck.
- 6.19 Cumbria County Council, as Lead Local Flood Authority (LLFA), has been consulted and confirm that it has no records of surface water flooding at the site and that the Environment Agency surface water maps do not indicate that the application site is in an area of risk. The consultation response goes on to outline that the developer should demonstrate how they will deal with surface water discharge from the potential development site and measures taken to prevent surface water discharging onto the public highway or onto existing neighbouring developments. The applicant would need to undertake detailed invasive ground investigation such as trial pits which would need to be carried out to BRE 365 standards. The applicant would then need to provide calculations to determine if the site is suitable to undertake infiltration techniques and details showing that any proposed attenuation structure etc has adequate capacity to deal with the volume of water running off the additional impermeable areas. If infiltration is not suitable for the proposed development then the applicant would need to provide detailed assessment, to account for a 1 in 100 year plus 40% storm event, a discharge equivalent to greenfield runoff for the site, discharge location and exceedance routes for the drainage.
- 6.20 The LLFA concludes by highlighting that the developer needs to demonstrate that the development would not increase the volume of water leaving the

application site which could potentially have a negative impact on existing developments downstream. Accordingly, requests the imposition of two conditions which would require: the submission of a surface water drainage scheme (inclusive of how the scheme would be managed after completion); and a construction surface water management plan.

- 6.21 United Utilities (UU) in its consultation response raise no objections to the proposal, subject to the imposition of conditions. The first condition refers to the adequate disposal of surface water, the requirement of a detailed surface water has also been requested by the LLFA. A further condition which UU suggests is that foul and surface waters drain to separate systems. The suggested conditions of the LLFA and UU are recommended to be included within the decision notice, should Members approve the application.

6. Impact Of The Proposal On Highway Safety

- 6.22 The illustrative drawings indicate that each of the proposed dwellings would be served by individual accesses onto the C1038 county highway.
- 6.23 Several objections have been received in respect of the impact of the application on highway safety. The objections of the third parties have been reproduced in full for Members; however, in summary, the objections appear to centre on: the adequacy of the visibility splays from the site; traffic speed; and provision of a footpath links to Cumwhinton and Wetheral.
- 6.24 Cumbria County Council, as Highway Authority, has been consulted and considers that visibility is generally good, though there is an existing traffic sign which currently obstructs the proposed visibility splays, this may need to be relocated at the applicants expense. The Highway Authority has also requested a voluntary contribution of £3500 from the applicants towards a Traffic Regulation Order (TRO) and signage for a proposed speed restriction. The Highway Authority recommends that the speed limit along this stretch of the C1038 be reduced from the national speed limit to 30mph. Should Members approve the application then the contribution to the TRO would be included within the Section 106 agreement.
- 6.25 In overall terms, the Highway Authority has no objections to the application subject to the imposition of conditions and an informative. The recommended conditions include: the provision of adequate visibility splays; construction and drainage of the proposed accesses; parking for construction traffic; and provision of access and turning requirements prior to occupation of any dwelling. The Highway Authority originally requested a further condition for the provision of a footway linking the development site to the nearest existing footpath. The Highway Authority has now rescinded its request for a footpath in light of the proposed contribution towards a TRO. Third parties have also requested the provision of footways that links the development site to Cumwhinton and Wetheral; however, the Highway Authority has not requested the provision of such footways, it would be unreasonable to impose a condition requiring the suggested footways in respect of this development.

- 6.26 The views of third parties are respected; however, in light of the views of the Highway Authority it would be difficult to substantiate a refusal of the application on highway safety grounds.

7. Impact Of The Proposal On The Existing Trees and Hedgerows

- 6.27 Policy GI6 of the local plan seeks to ensure that proposals for new development should provide for the protection and integration of existing trees and hedges where they contribute to a locality, and/or are of specific natural or historic value. In respect of new development, proposals which would result in the unacceptable or unjustified loss of existing trees or hedges or which do not allow for the successful integration of existing trees or hedges will be resisted.
- 6.28 Furthermore, the City Council's Supplementary Planning Document (SPD) 'Trees and Development' outlines that native large growing species are intrinsic elements in the landscape character of both rural and urban areas alike and acquire increasing environmental value as they mature. Large trees need space in which to grow to maturity without the need for repeated human intervention. Not only should the design of the development seek to retain existing trees and hedgerow features, but sufficient space should be allocated within the schemes to ensure integration of existing features and space for new planting, it is important that these issues are considered at the very start of the planning process.
- 6.29 The application was accompanied by a Tree Survey and Landscape Statement both of which identified the loss of two of the roadside Oak trees, identified as Trees 1 and 4. The loss of the two Oak trees, the Landscape Statement outlines: *"would be offset by a substantial amount of new tree planting and the creation of a new hedgerow"*. The submitted documents and drawings, although illustrative only, illustrate the retention together with supplementary planting within the roadside hedge, with the exception of the individual access driveways and maintenance access point into the attenuation tank area. The proposal also includes the planting of an off-site woodland copse, to the immediate south of the proposed application site. This, the statement outlines, would form part of a Section 106 agreement. The illustrative landscaping scheme also proposes planting along the western boundary of the site and within the site itself.
- 6.30 The four Oak trees within the eastern boundary are large prominent trees clearly visible to the public along Wetheral Pastures. They contribute to the pleasant rural character of the area. Furthermore, due to their size, prominent location and public visibility, the trees make a substantial positive contribution and visual amenity of the location. Accordingly, since the receipt of the application and in order to protect the visual amenity of the area, Tree Preservation Order 291 (TPO) has been made in respect of all of the Oak trees.
- 6.31 As the application seeks only to establish the principle of development, it is impossible to determine how much of the roadside hedge would be lost to facilitate vehicular access provision to the application site. The existing Oak

trees; however, are now protected by TPO 291. Should Members approve the application, conditions are recommended which would require the: submission of a landscaping scheme; the installation of tree/hedge protection barriers for the trees, subject of the TPO, together with those sections of the hedgerows to be retained; and, that any works with the root protection areas of the protected trees and retained hedgerows are undertaken by non-mechanical means. The proposed woodland copse to the immediate south of the application site is out with the application site; however, it has now been included within the blue line of the application. Accordingly, it is recommended that the planting of the woodland copse is included within the obligations of the proposed Section 106 agreement.

8. Impact Of The Proposal On Biodiversity

- 6.32 The Councils GIS Layer has identified that there is the potential for several key species to be present within the vicinity. Using the guidance issued by Natural England, the development it is unlikely that the proposed development would not harm protected species or their habitat. Furthermore, Natural England do not wish to comment on the application. To further protect biodiversity and breeding birds, informative's are recommended within the decision notice drawing the applicants attention to the requirement under conservation legislation such as the Wildlife and Countryside Act 1981, The Conservation of Habitats and Species Regulations 2010 etc.

9. Other Matters

- 6.33 Third parties has questioned the need for further housing within the village as there are other dwellings for sale within the parish. This issue is noted; however, this is not a material planning issue as Members are aware, every application must be dealt with on its own merits and assessed against policies within the Development Plan.
- 6.34 A further issue raised is the accuracy of the drawings as some of the drawings indicate Fernbank Cottages, properties to the north-east of the application site, in the incorrect location. This error is acknowledged; however, given the distance from the application site and that the surrounding properties have been correctly annotated, this error is not intrinsic to the overall assessment of the application.

Conclusion

- 6.35 The application seeks outline planning permission with all matters reserved, therefore, the application seeks only to establish to principle of development of the site. In overall terms, the principle of development accords with the objectives of the NPPF, PPG, the Carlisle District Local Plan 2015-2030 and SPDs.
- 6.36 Access, appearance, landscaping, layout and scale are reserved for subsequent approval and do not form part of this application; however, are subject to appropriate planning conditions and would be given careful consideration at the time of any subsequent application to ensure that the

scheme would comply with the NPPF, PPG, relevant local plan policies and SPDs. The proposal is, therefore, recommended for approval subject to the completion of a Section 106 agreement.

- 6.37 If Members are minded to grant planning approval it is requested that “authority to issue” the approval is given subject to the completion of a Section 106 agreement to secure:

- a) a financial contribution of £3500 toward a Traffic Regulation Order and signage of a new speed restriction; and.
- b) the planting of a woodland copse to the immediate south of the application site and its retention in perpetuity.

7. Planning History

- 7.1 There is no relevant planning history.

8. Recommendation: Grant Subject to S106 Agreement

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) the expiration of 3 years from the date of the grant of this permission, or
- ii) the expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any work is commenced, details of the access, appearance, landscaping, layout and scale of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Part 3 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development shall be undertaken in strict accordance with the approved documents for this Outline Planning Permission which comprise:

- 1. the submitted planning application form received 10th November 2017;
- 2. the Tree Survey received 10th November 2017;
- 3. the Landscape Statement received 10th November 2017;

4. the landscape context received 10th November 2017 (Drawing No. 06);
5. the block plan received 10th November 2017 (Drawing No. 17-C-14592/03 B);
6. the site location plan received 11th January 2018 (Drawing No. 17-C-14592/07 B);
7. the field access received 10th November 2017 (Drawing No. 17-C-14592/08);
8. the topographical survey (contours @ 0.5m) received 10th November 2017 (Drawing No. MAG-010-001 Revision B);
9. the Notice of Decision; and
10. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. Not more than 5no. residential units/dwellings shall be erected on the site pursuant to this permission.

Reason: To ensure that the development does not result in a cramped form of development and respects the scale and character of the area in accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

5. The development shall not commence until visibility splays providing clear visibility of 2.4 metres by 45 metres measured down the centre of the access drive(s) and the nearside channel line of the major road have been provided at the junction of the access drive(s) with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety. To support Local Transport Plan Policies: LD7, LD8.

6. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the local planning authority in consultation with the highway authority.

Reason: In the interests of road safety. To support Local Transport Plan Policies: LD5, LD7, LD8.

7. The dwellings shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access 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 provision when the development is brought into use. To support Local Transport Plan Policies: LD5, LD7, LD8.

8. Before any development takes place, a plan shall be submitted for the prior written approval of the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users and to support Local Transport Policy LD8.

9. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the local planning authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

10. No development shall commence until a construction surface water management plan has been agreed in writing by the local planning authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of watercourses downstream of the site.

11. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to has been submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.

Reason: To prevent pollution of the water environment in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

12. Foul and surface waters from the development, hereby approved, shall be drained on separate systems with foul water draining to the public sewer and

surface water draining in the most sustainable way.

Reason: To ensure that adequate drainage facilities are available and to ensure compliance with Policies IP6 and CC5 of the Carlisle District Local Plan 2015-2030.

13. No dwelling shall be occupied until the respective foul and surface water drainage works, submitted under the above conditions 9 and 11, have been completed in accordance with the details approved by the local planning authority.

Reason: To ensure that adequate drainage facilities are available which are comprehensive in extent and follow a co-ordinated sequence in accordance with Policies IP6 and CC5 of the Carlisle District Local Plan 2015-2030.

14. Prior to the commencement of development details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor and ridge heights of the dwellings hereby permitted shall be submitted to and approved in writing by the local planning authority.

Reason: In order that the approved development overcomes any problems associated with the topography of the area in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

15. No development shall be commenced until samples or full details of materials to be used externally on the dwellings have been submitted to and approved in writing by the local planning authority. Such details shall include the type, colour and texture of the materials.

Reason: To ensure that materials to be used are acceptable in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

16. Before development commences, particulars of the height and materials of any new screen walls and boundary fences to be erected shall be submitted to and approved in writing by the local planning authority and the development thereafter carried out in accordance therewith.

Reason: In the interests of privacy and visual amenity in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

17. No development shall commence until details of the proposed hard surface finishes to all public and private external areas within the proposed scheme have been submitted to and approved, in writing, by the local planning authority. Such details shall include the type, colour and texture of the materials.

Reason: To ensure the materials used are acceptable and to ensure compliance with Policy SP6 of the Carlisle District Local Plan

2015-2030.

18. No development shall take place until full details of the proposed soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. The proposed landscaping scheme shall include the retention (where practical) of the existing hedgerows along the eastern and southern boundaries. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To ensure that an acceptable landscaping scheme is prepared and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

19. Before any development is commenced on the site, including site works of any description, a protective fence shall be erected around the Oak trees subject of TPO 291 and the hedges to be retained in accordance with a scheme that has been submitted to and agreed, in writing, by the Local Planning Authority. Within the areas fenced off the existing ground level shall be neither raised nor lowered, except in accordance with the approved scheme, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced off area, they shall be excavated or back filled by hand and any roots encountered with a diameter of 25mm or more shall be left unsevered. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all hedges to be retained on site in support of Policy GI6 of the Carlisle District Local Plan 2015-2030.

20. No development shall be commenced until a detailed Bat and Breeding Bird Survey has been submitted to and approved in writing by the local planning authority. Any requirements/recommendations/mitigation measures contained within the approved Bat and Bird Survey shall thereafter be undertaken in strict accordance with the requirements/recommendations/mitigation measures unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure no adverse impact on a European Protected Species in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

21. As part of the development hereby approved, adequate underground ducts shall be installed in accordance with details approved in writing beforehand by the local planning authority to enable telephone services, electricity services and television services to be connected to any premises within the application site, without recourse to the erection of distribution poles and

overhead lines. The development shall then be undertaken in accordance with the approved details.

Reason: To maintain the visual character of the locality in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

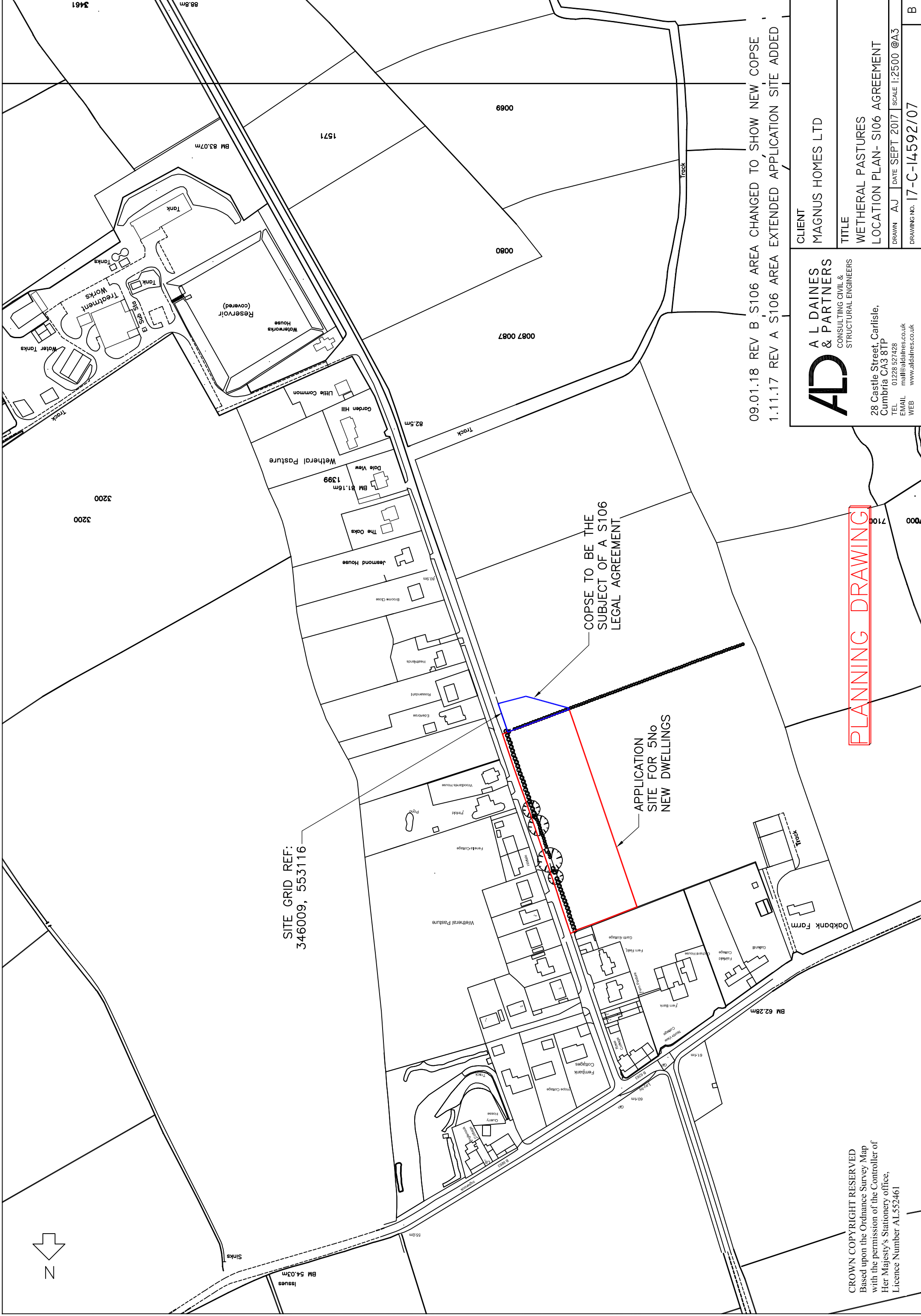
22. No work associated with the construction of the residential units hereby approved shall be carried out before 0730 hours on weekdays and Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

23. 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 in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.



PLANNING DRAWING

09.01.18 REV B S106 AREA CHANGED TO SHOW NEW COPSE
1.11.17 REV A S106 AREA EXTENDED APPLICATION SITE ADDED

CLIENT
MAGNUS HOMES LTD

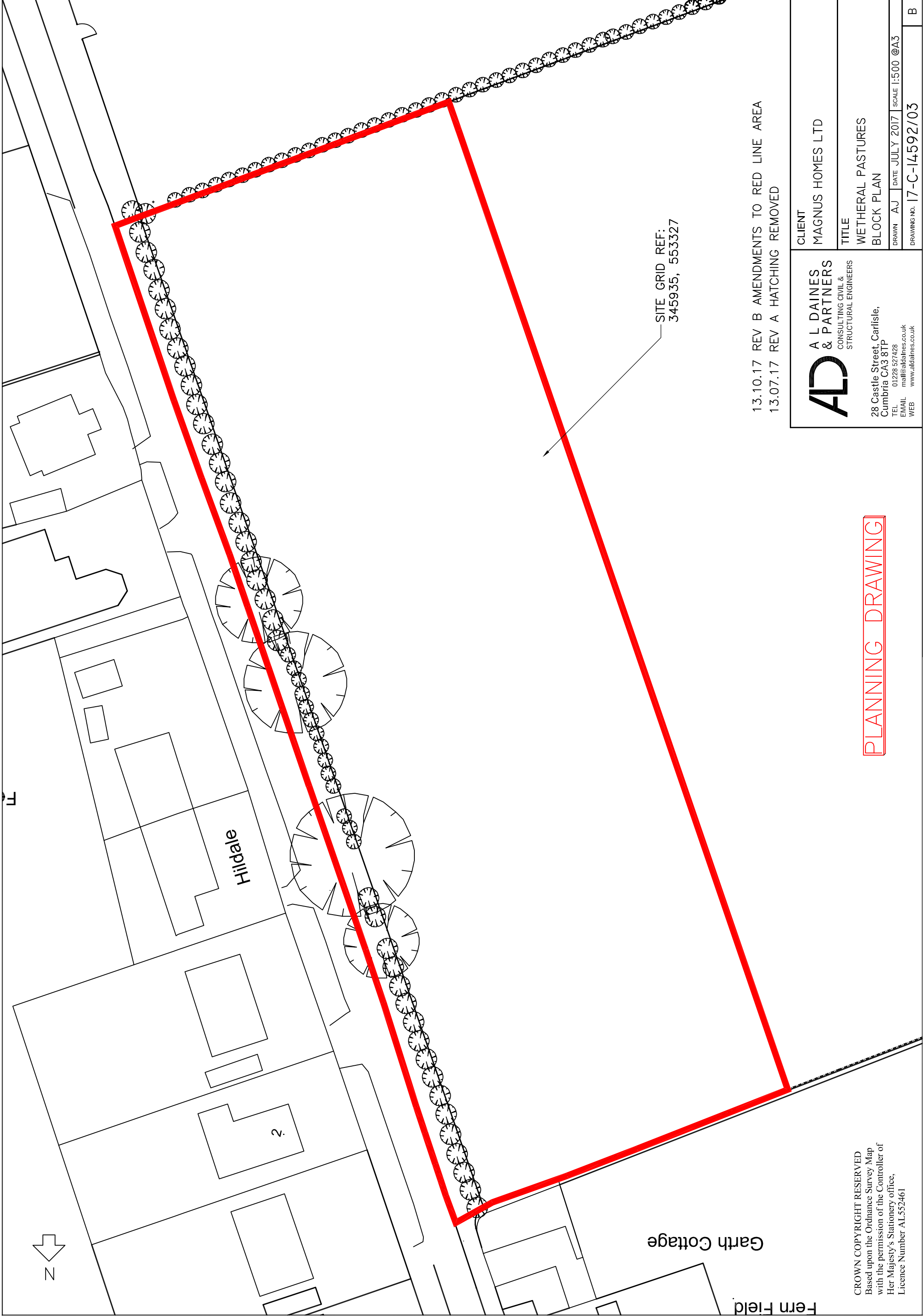
ALD
A L DAINES
& PARTNERS
CONSULTING CIVIL &
STRUCTURAL ENGINEERS

WETHERAL PASTURES
LOCATION PLAN- SI06 AGREEMENT

DRAWN	AJ	DATE	SEPT 2017	SCALE	1:2500 @A3
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DRAWING NO. 17-C-4592/07

28 Castle Street, Carlisle,
Cumbria CA3 8TP
TEL 01228 527428
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WEB www.aldaines.co.uk



CLIENT		MAGNUS HOMES LTD	
TITLE		WETHERAL PASTURES BLOCK PLAN	
DRAWN	AJ	DATE	JULY 2017
SCALE		1:500 @A3	
DRAWING NO.		17-C-14592/03	
B			

AD
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& PARTNERS
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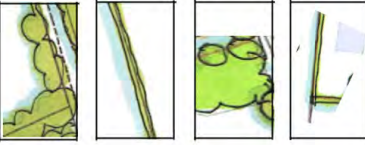
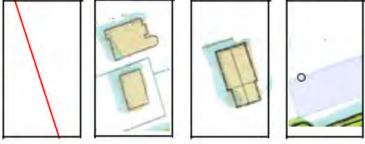
PLANNING DRAWING

CROWN COPYRIGHT RESERVED
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13.10.17 REV B AMENDMENTS TO RED LINE AREA
13.07.17 REV A HATCHING REMOVED

SITE GRID REF:
345935, 553327

Key



0

50m

100m

200m

Scale ~ 1:2,500 at A3 page size. Do not scale off this drawing

Drawing based on location plan prepared by AL Daines Ltd

Positions of existing vegetation is taken from on-line aerial photography and is approximate.

R 00	21.09.2017	original drawing
revision	date	notes

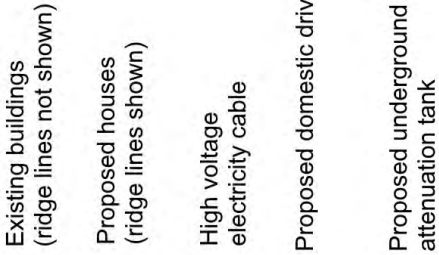
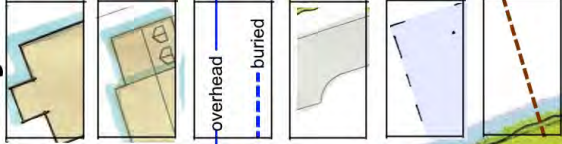
drawing number 06

drawing name Landscape context

project Wetheral Pastures

client Magnus Homes

Key



Plot depth is measured 50m in from the existing stock proof fence on the inner side of existing roadside hedgerow.

New copse (subject to Section 106 agreement) to be planted off-site on rising land to the south of the site, to physically and visually screen and contain the development. Copse planted in a "practical" shape for farm management purposes and for a characteristic appearance. To be planted with native species for wildlife benefit, and potentially including orchard species.

Existing roadside hedgerow retained, providing a mature setting for the new houses.

Opportunity to "bookend" the proposed development through detailed design of houses, here demonstrated with "L" shaped houses.

New trees and hedgerow on rising land behind new houses, which, along with that rising land, help to contain the new development.

New trees planted into existing roadside hedgerow.

New trees planted into existing hedgerow have a hedgerow tree appearance and help to frame, screen and contain the housing development.

Physical connection between existing and new houses through access onto same local road, in a similar fashion to existing arrangement.

Domestic scale hedges and trees in and between front gardens softens appearance of new houses and marry with character of existing front gardens opposite.

Proposed housing mirrors the scale, form and character of existing development on opposite side of road.

Two existing mature roadside trees retained.

Proposed trees on frontage provide a framework for new houses and soften views between existing and new properties.

Planting notes

Proposed larger trees (for copse and around edge of site)

Acer pseudoplatanus (Sycamore), approx. mature height 30m
Fagus sylvatica (Beech), approx. mature height 35m+
Quercus petraea (Sessile Oak), approx. mature height 35m
Pinus sylvestris (Scots Pine), approx. mature height 35m

Proposed medium sized trees (for copse and within gardens)

Betula pendula (Silver Birch), approx. mature height 30 - 35m
Malus sylvestris (Native Crab Apple), approx. mature height 10m
Sorbus aria (Whitebeam), approx. mature height 15m
Sorbus aucuparia (Rowan), approx. mature height 15m

Proposed hedgerow and copse-edge species

native hedgerows to be maintained to approx. 1.5m high
Crataegus monogyna (Hawthorn)
Corylus avellana (Hazel)
Ilex aquifolium (Holly)
Lonicera periclymenum (Honeysuckle)
Rosa canina (Dog Rose)
Salix caprea (Goat Willow)
Viburnum opulus (Guelder Rose)

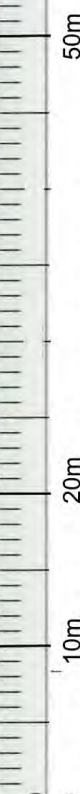
Proposed garden hedge species

garden hedges to be maintained to approx. 1.0m high
Fagus sylvatica (Beech)
Prunus laurocerasus (Laurel)

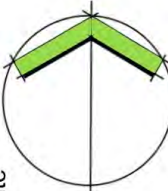
Planting densities

Individual trees - as shown (32 no.)
Native hedgerows - 5 / linear m.
Planted in random groups of 5 - 7.
Garden hedges - 5 / linear m.
Copse trees - average 1.5 / m2.
(averaged to allow denser areas and small glades).
Copse edge shrubs - 1.5 / m2, planted in random groups of 3 - 7 around outer 4m edge of copse.

Proposed trees and hedgerow to the north of Plot 1 frame the proposed development and filter views from the north.



Scale ~ 1:500 at A3 page size. Do not scale off this drawing.
Drawing based on topographic survey ref MAG-010-001 rev B prepared by JAF Surveys, May 2017. Areas beyond the site are based on OS mapping and are approximate only.



Area of field with overhead cables and buried attenuation tanks creates an open space buffer between existing and proposed houses.

New hedge defines edge of site and provides low-level screening.

Underground attenuation tanks for drainage purposes

Proposed maintenance access to attenuation tank & electricity cables.

R 09	31/10.2017	further planting information added
R 08	30.10.2017	planting information added
R 07	16.10.2017	additional notes
R 06	10.10.2017	additional notes
R 05	18.09.2017	key adjusted
R 04	16.09.2017	additional copse planting included
R 03	22.07.2017	"Draft" label to indicate status of drawing
R 02	19.07.2017	changes to notes and cable symbol
R 01	18.07.2017	annotations added
R 00	30.06.2017	original drawing
revision	date	notes

drawing number

04

drawing name

Illustrative Layout

project

Wetheral Pastures

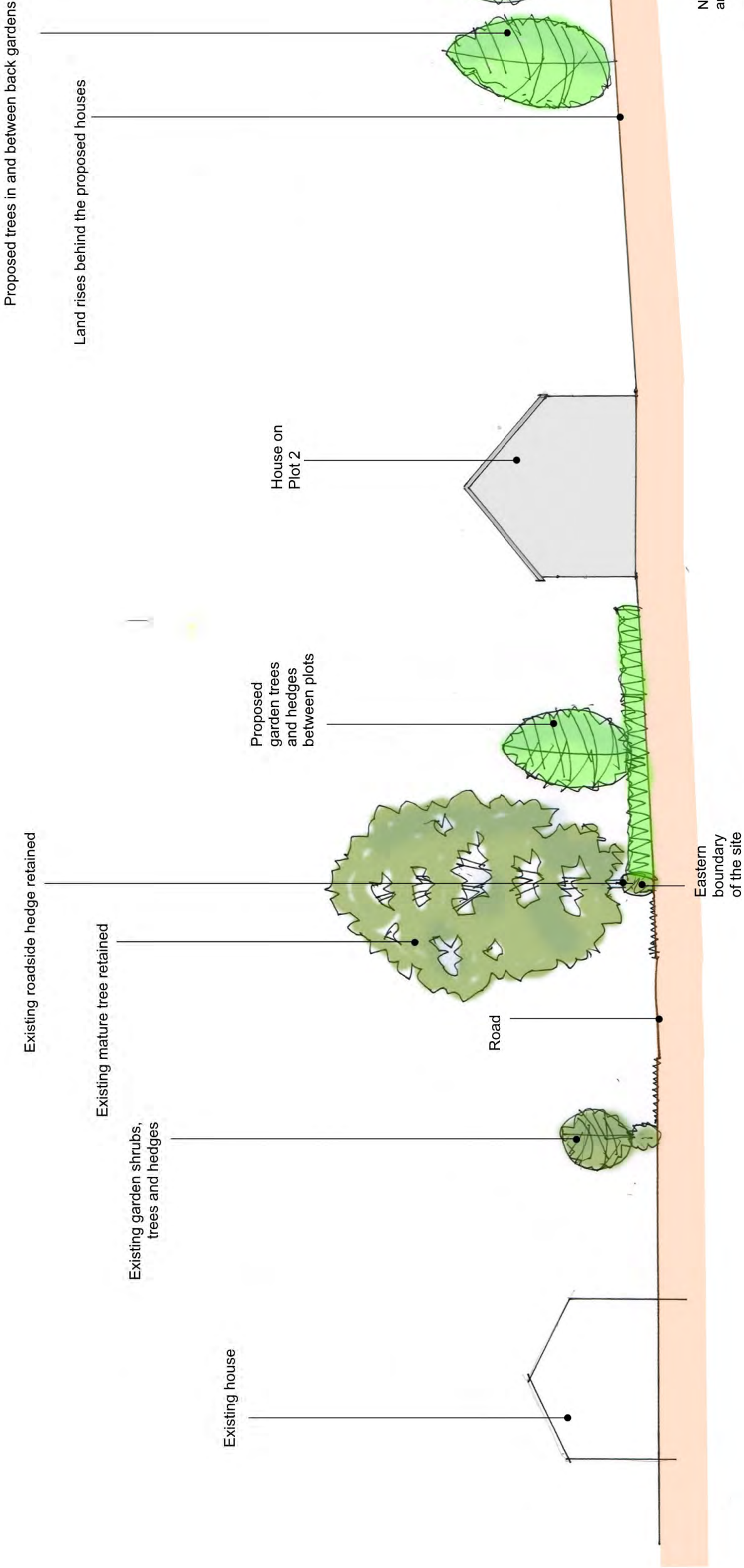
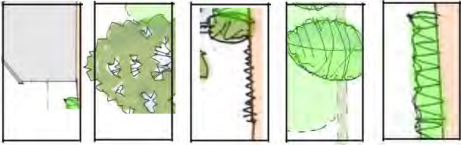
client

Magnus Homes

Eden Environment Ltd
www.edenenvironment.com



Key



Note: buildings, trees, hedges and their locations are approximate, to illustrate the general principles

R 03	10.10.2017	"Draft" stamp removed
R 02	22.07.2017	"Draft" label to indicate drawing status
R 01	19.07.2017	scale increased
R 00	18.07.2017	original drawing
revision	date	notes

drawing number

05

drawing name

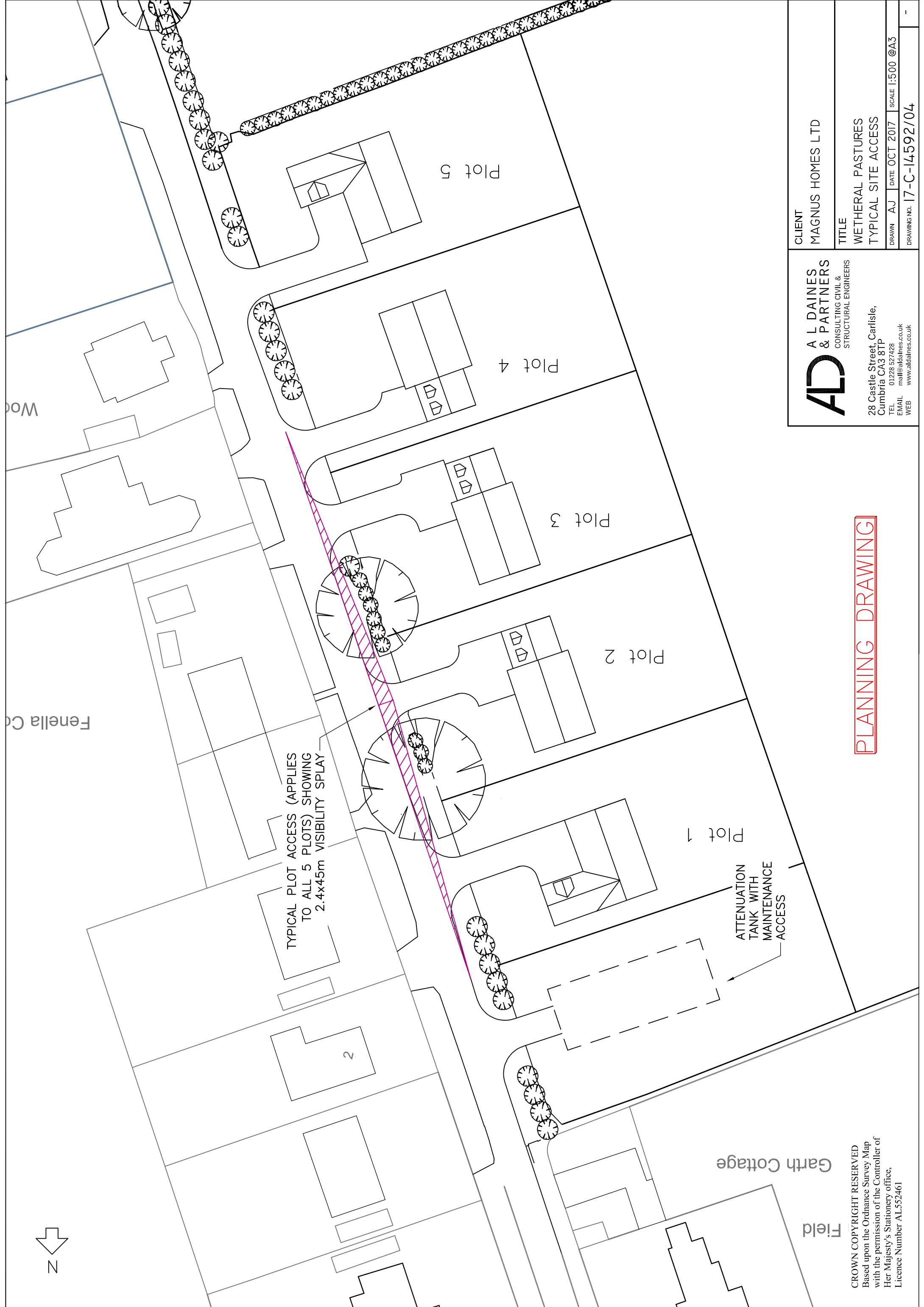
Illustrative cross - section through Plot 2

project

Wetheral Pastures

client

Magnus Homes



PLANNING DRAWING

CLIENT		MAGNUS HOMES LTD	
TITLE		WETHERAL PASTURES TYPICAL SITE ACCESS	
DRAWN	AJ	DATE	OCT 2017
DRAWING NO.		17-C-14592/04	
SCALE		1:500 @A3	

AD
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