

SCHEDULE A: Applications with Recommendation

16/0833

Item No: 08

Date of Committee: 25/11/2016

Appn Ref No:
16/0833

Applicant:
Mr & Mrs Pattinson

Parish:
Irthington

Agent:
H&H Land and Property

Ward:
Stanwix Rural

Location: Land To West Of The Cottage, Newtown, Irthington, Carlisle, CA6 4NX

Proposal: Outline Application For Residential Development

Date of Receipt:
22/09/2016

Statutory Expiry Date
17/11/2016

26 Week Determination
01/02/2017

REPORT

Case Officer: Barbara Percival

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Principle of development
- 2.2 Impact of the proposal on the character of the area
- 2.3 Impact of the proposal on the character and setting of the adjacent Grade II Listed Building
- 2.4 Impact of the proposal on the buffer zone on Hadrian's Wall World Heritage Site
- 2.5 Whether the scale and design of the dwelling are acceptable
- 2.6 Impact of the proposal on the living conditions of neighbouring residents
- 2.7 Proposed methods of foul and surface water drainage
- 2.8 Impact of the proposal on highway safety
- 2.9 Impact of the proposal on the existing hedgerow
- 2.10 Impact of the proposal on biodiversity
- 2.11 Other matters

3. Application Details

The Site

- 3.1 The application site, equating to approximately 0.18 hectares, is located on the southern section of the field between Dale Croft and Hall Cottage, Newtown, Irthington. The roadside (southern) boundary of which is delineated by a mature native hedgerow which would be retained with the exception of a section to gain access to the proposed development. Newtown Public Hall is located to the east of the application site with the village green and play area located to the south east.

The Proposal

- 3.2 The application seeks Outline Planning Permission with All Matters Reserved namely: access, appearance, landscaping, layout and scale. This application, therefore, is to establish the principle of development only.
- 3.3 The submitted drawings, although indicative only, illustrate the siting of two detached dwellings arranged around a central access. The access of which would be via the unadopted access road which serves the village hall and some residential properties.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of five neighbouring properties and the posting of a Site Notice. In response, one representation of objection has been received.
- 4.2 The letter identifies the following issues:
1. questions the need for any further dwellings within the village.
 2. due to the size of the application site there is potential to build four dwellings.
 3. access to the site would be via a private road.
 4. potential scale of the properties being overbearing and overdominant.
 5. potential to exacerbate existing surface water flooding.
 6. likely to set a precedent within the remaining field for further development.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - the proposed residential developments access is shown connected to an un-adopted highway which in turn has a junction with the A6071, the un-adopted road leading to the Village Hall also serves other properties and will therefore be able accommodate additional traffic flows from the proposed dwellings. Accordingly, the Highway Authority and Lead Local Flood

Authority have no objection to the proposed development subject to the imposition of conditions relating to access construction, access provision, boundary treatment, construction compound and surface water drainage; Irthington Parish Council: - not in keeping with the character of the area. Contrary to Policy CP1 and H1 of the Local Plan. Members are also concerned that the access to the properties is onto the car park for the village hall;

Cumbria County Council - (Archaeological Services): - no objections and do not wish to make any comments or recommendations;

English Heritage - North West Region: - do not believe that this proposal would impact directly on any archaeological remains from the Hadrian's Wall World Heritage Site. In addition, although potentially visible from the World Heritage Site, do not believe that it would harm the ability to appreciate and understand Roman military planning and land use. In light of this, do not believe the proposal would harm the setting of the World Heritage Site.

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), Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and Policies SP2, SP6, HO2, IP3, IP6, CC5, HE1, HE3, 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'. Historic England has also produced a document entitled 'The Setting of Heritage Assets - Historic Environment Good Practice Advice in Planning: 3'.

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 policies, the application site is located between existing residential properties with the property to the north west, Dale Croft, forming a natural end to the village thereby discouraging any potential for further development. Although a field access is to be maintained adjacent to the northern boundary, this is reasonable for continued access to the agricultural land beyond. In such a context, the application site is well contained within existing landscape features, it is physically connected, and integrates with, the settlement, and would not lead to an unacceptable intrusion into open countryside.
- 6.6 Furthermore although Newtown village has limited services as it just has a village hall, village green and children's play area it is located in close proximity to Irthington which has a range of services, namely, a church, school and public house. In overall terms, the application site is considered to be in a sustainable location for housing development, therefore, the principle of the proposal is therefore acceptable.

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

- 6.7 The Cumbria Landscape Character Guidance and Toolkit (March 2001) identifies that the site falls within the Cumbria Landscape Character Sub-Type 8b 'Broad Valleys'. The toolkit advises that key characteristics of this landscape are: wide and deep valleys with open floodplains; rural farmland comprising significant areas of improved pasture; pockets of scrub, woodland and coniferous plantations; hedge and stone walls form a matrix of field boundaries; and roads and railway lines often follow the linear valley contours.
- 6.8 The application site forms part of an agricultural field located between residential properties within Newtown, the southern boundary of which is delineated by a native hedgerow. It is inevitable that the erection of new dwellings on agricultural land would have some visual impact on the landscape character of the area. In mitigation, the application site is located between existing residential properties with the majority of the boundary hedgerow being retained. Furthermore, any perceived visual impact would be further controlled at Reserved Matters stage by the submission of details in respect of appearance, layout and scale of the proposed dwellings together with a landscaping scheme. Accordingly, there would not be such a significant detrimental impact on the character of the area to warrant a refusal of the application.

3. Impact Of The Proposal On The Character And Setting of the Adjacent Grade II Listed Building

- 6.9 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 6.10 Members, therefore, must give considerable importance and weight to the desirability of preserving the character and setting of the Grade II Listed Building, Orchard House, to the east of the application site in consideration of this application. If the harm is found to be less than substantial, then any assessment should not ignore the overarching statutory duty imposed by section 66(1).
- 6.11 Paragraph 133 of the NPPF states that Local Planning Authorities should refuse consent for any development which would lead to substantial harm to or total loss of significance of designated heritage assets. However, in paragraph 134, the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.12 Policy HE3 of the Local Plan outlines that listed buildings and their settings will be preserved and enhanced. The overriding objective of doing so is to ensure that the character and setting of the listed building is preserved.
- 6.13 In light of the foregoing it is considered that Members need to have cognizance of: a) the significance of Orchard House and the contribution made to that significance by its setting; and then assess b) the effect of the proposal on the setting of Orchard House (inclusive of its significance and on the appreciation of that significance).
- a) the significance of the heritage asset and the contribution made by its setting
- 6.14 The application site is located approximately 35 metres north west of Orchard House. As previously outlined, Orchard House is a Grade II Listed Building. There are over 374,000 listed buildings within England which are categorised as Grade I, Grade II* and Grade II. Grade I are of exceptional interest, sometimes considered to be internationally important, only 2.5% of Listed Buildings are Grade I. Grade II* Buildings are particularly important buildings of more than special interest, 5.5% of listed buildings are Grade II*. The final tier of Listed Buildings are Grade II buildings which are nationally important and of special interest.
- 6.15 Orchard House was listed by Historic England as a Grade II Listed Building in 1984. The listing details are as follows:

"House. Dated 1783 with initials JWW inscribed on keystone. Painted rendered walls, painted stone quoins and dressings; Welsh slate roof, no chimney stacks. 2 storeys, 2 bays with 2-storey, single-bay extension to left.

C20 top glazed door has alternate bock surround with V-shaped joints, flat arch with large keystone. Flanking windows are C20 casements in original surrounds, that to left is tripartite, with central round head: to right is triple casement with flat arch and plain painted surround, with round head above central position, to imitate arch to left. Sash window with glazing bars above and C20 casement left in original painted surrounds. Extension has plank door and 2-pane sash windows in plain painted surrounds".

- 6.16 Orchard House is a two storey detached house located on the northern side of the A6071 Brampton to Longtown Trunk Road. An access track/parking area is located to the south west of the dwelling beyond which there is an area of green space. The domestic curtilage of Orchard House is located to the east with the Newtown Public Hall and Hall Cottage located to the west.

b) the effect of the proposed development on the setting of the heritage asset

- 6.17 As previously outlined in the report, Historic England has produced a document entitled "The Setting of Heritage Assets - Historic Environment Good Practice Advice in Planning: 3' (TSHA) to provide information of good practice to assist local authorities, planning and other consultants, applicants and other interested parties in implementing historic environment policy in the NPPF and the related guidance in the PPG.
- 6.18 The TSHA document highlights that the NPPF makes it clear that: *"the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive and negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral".*
- 6.19 The NPPF reiterates the importance of a setting of a listed building by outlining that its setting should be taken into account when considering the impact of a proposal on a heritage asset (paragraph 132). However, in paragraph 134, the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.20 Section 66 (1) requires that development proposals consider not only the potential impact of any proposal on a listed building but also on its setting. Considerable importance and weight needs to be given to the desirability of preserving Orchard House and its setting when assessing this application. If the harm is found to be less than substantial, then any assessment should not ignore the overarching statutory duty imposed by section 66(1).
- 6.21 When assessing the application against the foregoing, it is evident that Orchard House is located in a prominent location within Newtown; however, it is separated from the application site by intervening buildings, Newtown Public Hall and Hall Cottage. The application seeks Outline Planning Approval with All Matters Reserved, therefore, access, appearance,

landscaping, layout and scale are reserved for a subsequent application. However, given the intervening distances and subject to suitably designed dwellings and landscaping, any perceived impact can be satisfactorily mitigated so that the development does not have a detrimental impact on the character or setting of the heritage asset.

4. Impact Of The Proposal On The Buffer Zone of Hadrian's Wall World Heritage Site

6.22 Proposed development within the buffer zone should be assessed for its impact on the site's Outstanding Universal Value and particularly on views both into and out of it. Policy HE1 of the Local Plan highlighting that development that would result in substantial harm will be refused.

6.23 Historic England has been consulted on the application and do not believe that this proposal would impact directly on any archaeological remains from the Hadrian's Wall World Heritage Site. In addition, although potentially visible from the World Heritage Site, do not believe that it would harm the ability to appreciate and understand Roman military planning and land use. In light of this, do not believe the proposal would harm the setting of the World Heritage Site.

6.24 Cumbria County Council's Historic Environment Officer has also been consulted on the application and does not wish to make any comments or recommendations. In light of the views of the statutory consultees the application would not form a discordant feature within the buffer zone.

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

6.25 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.

6.26 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 application stage. The submitted details however; indicate the siting of two detached dwellings arranged around a central shared access. The Planning Statement highlights that the scale of the development would be commensurate to the size and form of Newtown.

6.27 Notwithstanding the foregoing, conditions are recommended requiring the

submission of existing and proposed ground levels and the height of the proposed finished floor levels and ridge height of the proposed dwellings. Further conditions, amongst others, are also recommended which would require the submission of details in respect of materials and a landscaping scheme. Accordingly, the proposed conditions would ensure that the proposed dwellings would be of an appropriate scale and design. Furthermore, any subsequent application would have to demonstrate that the development would achieve adequate amenity space and off-street parking to serve each dwelling.

- 6.28 In order to ensure that the development does not result in a cramped form of development, a further condition is recommended which would restrict to number of dwellings within the application site to a maximum of three.

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

- 6.29 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 be achieved.
- 6.30 The development would have to be designed to take account of the requirements in the Council's Supplementary Planning Documents "Achieving Well Design Housing" and be compliant with the requirement to maintain 21 metres distance between primary facing windows and 12 metres between a primary window and a blank gable.
- 6.31 Given the orientation of the application site, it is likely that the proposed buildings within it, occupiers of the proposed and existing neighbouring properties would not suffer from an unreasonable loss of daylight or sunlight nor would it be over-dominant; however, as the application seeks only to establish the principle of development, these issues can't be established at this stage. To further protect the living conditions of the occupiers of neighbouring properties a condition is recommended that would restrict construction hours.

7. Proposed Method Of Foul And Surface Water Drainage

- 6.32 An objector has raised concerns about the potential of the development to exacerbate existing surface water problems within the area. The Planning Statement outlines that in respect of surface water drainage it would be difficult to establish drainage arrangements until there was a greater certainty with regard to the layout and scale of the development. The Statement goes on to highlight the location of mains sewers within the vicinity.

- 6.33 There is a clear policy requirement to provide adequate provision for foul and surface water facilities; however, due to the fact that only outline planning permission is sought by this application, there is no requirement to provide comprehensive details of the method for the disposal of either surface water or foul drainage provision at this stage.
- 6.34 Members should note that the Lead Local Flood Authority in respect of surface water drainage raise no objection to the proposal but recommend a series of conditions to ensure that the proposed development would not have a detrimental impact on surface water within the vicinity together with further conditions requiring details for a surface water management plan. Should Members approved this outline application, any subsequent application would have to satisfy the conditions imposed by the Lead Local Flood Authority.
- 6.35 A condition is also recommended in respect of the submission of pre-commencement details for the disposal of foul drainage. This details would then be assessed by the relevant Statutory Consultees. If such details prove to be unacceptable, it may be that the residential development would stall as a result.

8. Impact Of The Proposal On Highway Safety

- 6.36 The submitted drawings illustrate a central access to serve the proposed development via the road which provides access to the village hall and residential properties; however, these drawings are indicative only.
- 6.37 The Parish Council has raised a concern in respect of the proposed access which it considers is onto the car park for the village hall. The submitted indicative drawing illustrates that the car park would be unaffected by the proposed access. Cumbria County Council, as Highway Authority, has been consulted and subject to the imposition of conditions relating to access construction, access provision and boundary treatment raised no objections to the proposed development. Access details are reserved for a future application; however, on the strength of the Highway Authority's view, the proposal is acceptable in highway terms subject to the imposition of these conditions.
- 6.38 A third party has raised questions as to whether the applicant has the right of access across the unadopted road serving the village hall and residential properties. The concerns of the third party are noted; however, this is a civil issue and not a material planning consideration.

9. Impact Of The Proposal On The Existing Hedgerow

- 6.39 Policy GI6 of the Local Plan seek to ensure that proposals for new development should provide for the protection and integration of existing trees and hedges where they contribute positively to a locality, and/or are of specific natural or historic value. Furthermore, the City Council's Supplementary Planning Document (SPD) 'Trees and Development' outline that not only should the design of developments seek to retain existing tree 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.

- 6.40 The southern boundary of the application site is delineated by a native hedgerow. The submitted document indicate that with the exception of the proposed access the existing hedgerow would be retained. Given that landscaping is reserved for a subsequent application, pre-commencement conditions are recommended requiring the submission of a landscaping scheme which would include the retention of the majority of the hedgerow together with a further condition requiring that adequate protection measures are put in place to safeguard the retained hedgerow during the construction process.

10. Impact Of The Proposal On Biodiversity

- 6.41 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 would not harm protected species or their habitat; however, an Informative is recommended should Members approve the application that if a protected species is found all work must cease immediately and the Local Planning Authority informed. A condition is also recommended that works involving the removal of section of the hedgerow and trees are undertaken outwith the bird nesting season unless the absence of nesting birds has been established through a survey.

11. Other Matters

- 6.42 A third party has questioned the need for further housing within the village as there are other dwellings for sale within Newtown. This concern 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.

Conclusion

- 6.43 In overall terms, the application seeks only to establish the principle of housing development on the site which is acceptable under the provisions of the NPPF, PPG and the Local Plan. The development would not create a precedent for further applications in the area which, in any case, would have to be considered on their own merits. The siting, scale and design of the proposal are subject to appropriate planning conditions. Careful consideration at the time of any subsequent application to ensure that the scheme would be well related to the existing built form of the village and ensure that the proposal would not have a detrimental impact on the setting of the heritage asset.
- 6.44 Cumbria County Council, as Highway Authority and Lead Local Flood Authority, has raised no objection to the proposal subject to the imposition of appropriate conditions. Further planning conditions deal with landscaping, hedgerow protection together with foul and surface water drainage. In overall

terms, the proposal is considered to be compliant with the objectives of the National Planning Policy Framework, Planning Policy Guidance, Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and relevant Local Plan policies. Accordingly, the application is recommended for approval.

7. Planning History

7.1 There is no relevant planning history.

8. Recommendation: Grant Permission

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 1 year 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 Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

3. The approved documents for this Outline Planning Permission comprise:
 1. the submitted planning application form received 19th September 2016;
 2. the Planning Statement received 19th September 2016;
 3. the site location plan received 19th September 2016 (Plan No. 1 of 2);
 4. the block plan received 19th September 2016 (Plan No. 2 of 2);
 5. the Notice of Decision; and
 6. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. Not more than 3 dwellings shall be erected on the site pursuant to this permission.

Reason: The Local Planning Authority wish to control the scale of the development to enable a further assessment on viability should the nature of the proposal change in the future.

5. 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.

6. No dwellings or buildings or structures shall be commenced until the access road, as approved, are defined by kerbs and sub base construction.

Reason: To ensure that the access roads are defined and laid out at an early stage. To support Local Transport Plan Policies: LD5, LD7, LD8.

7. Details of proposed crossings of the highway verge shall be submitted to the Local Planning Authority for approval. The development shall not be commenced until the details have been approved and the crossings have been constructed.

Reason: To ensure a suitable standard of crossing. To support Local Transport Plan Policies: LD5, LD7, LD8.

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

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

9. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety. To support Local Transport Plan Policies: LD7, LD8.

10. Any existing highway fence/wall boundary shall be reduced to a height not

exceeding 1.0m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) (before the development is brought into use) and shall not be raised to a height exceeding 1.0m thereafter.

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

11. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

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

12. The dwelling 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 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.

13. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles and for vehicles to enter and leave the site in a forward direction shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose

Reason: To ensure that all vehicles can be properly and safely accommodated clear of the highway. To support Local Transport Plan Policies: LD7, LD8.

14. Before any development takes place, a plan shall be submitted for the prior 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 the provision of

these facilities during the construction works is likely to lead to inconvenience and danger to road users. To support Local Transport Plan Policy: LD8.

15. The access and parking/turning requirements shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

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

16. No development approved by this permission shall be commenced until a scheme for the disposal of foul waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure a satisfactory means of drainage in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

17. No development shall commence until full details of the surface water system demonstrating that no flooding will occur on any part of the site for a 1 in 30 year event unless designed to do so, flooding will not occur to any building in a 1 in 100 year event plus 30% to account for climate change, and where reasonably possible flows resulting from rainfall in excess of a 1 in 100 year 6 hour rainfall event are managed in conveyance routes (plans of flow routes etc) have been agreed in writing with the Local Planning Authority.

Reason: To manage flood risk within the development that results from surface water to minimise the risk to people and property.

18. No development shall commence until details to confirm the design of the surface water drainage system will mitigate any negative impact of surface water from the development on flood risk outside the development boundary have been agreed in writing with the local planning authority

Reason: To safeguard against negative impact outside the development boundary to people and property.

19. No development shall commence until a construction surface water management plan has been agreed in writing with the Local Planning Authority.

Reason: To safeguard against flooding to surrounding sites and the road network.

20. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles 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 proposed scheme should meet the requirements of Sustainable Drainage Systems: Non-Statutory Technical Standards (March 2015).

Reason: To ensure the surface water system continues to function as designed.

21. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak flow greenfield runoff rate for the same event.

Reason: To safeguard against negative impact outside the development boundary to people and property.

22. For greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.

Reason: To safeguard against negative impact outside the development boundary to people and property.

23. 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.

24. 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.

25. No development shall take place until full details of hard and soft landscape works, including the retention of the majority of the existing hedgerow along the southern and south western boundaries of the site, 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 the dwellings. 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 a satisfactory landscaping scheme is prepared and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

26. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the hedgerow to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. 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 trees/hedges to be retained on site in support of Policies GI6 and SP6 of the Carlisle District Local Plan 2015-2030.

27. No site clearance or works to the retained hedgerow shall take place during the bird breeding season from 1st March to 31st August unless the absence of nesting birds has been established through a survey and such survey has been agreed in writing beforehand by the Local Planning Authority.

Reason: To protect nesting birds in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

28. 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 1600 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.

29. 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.

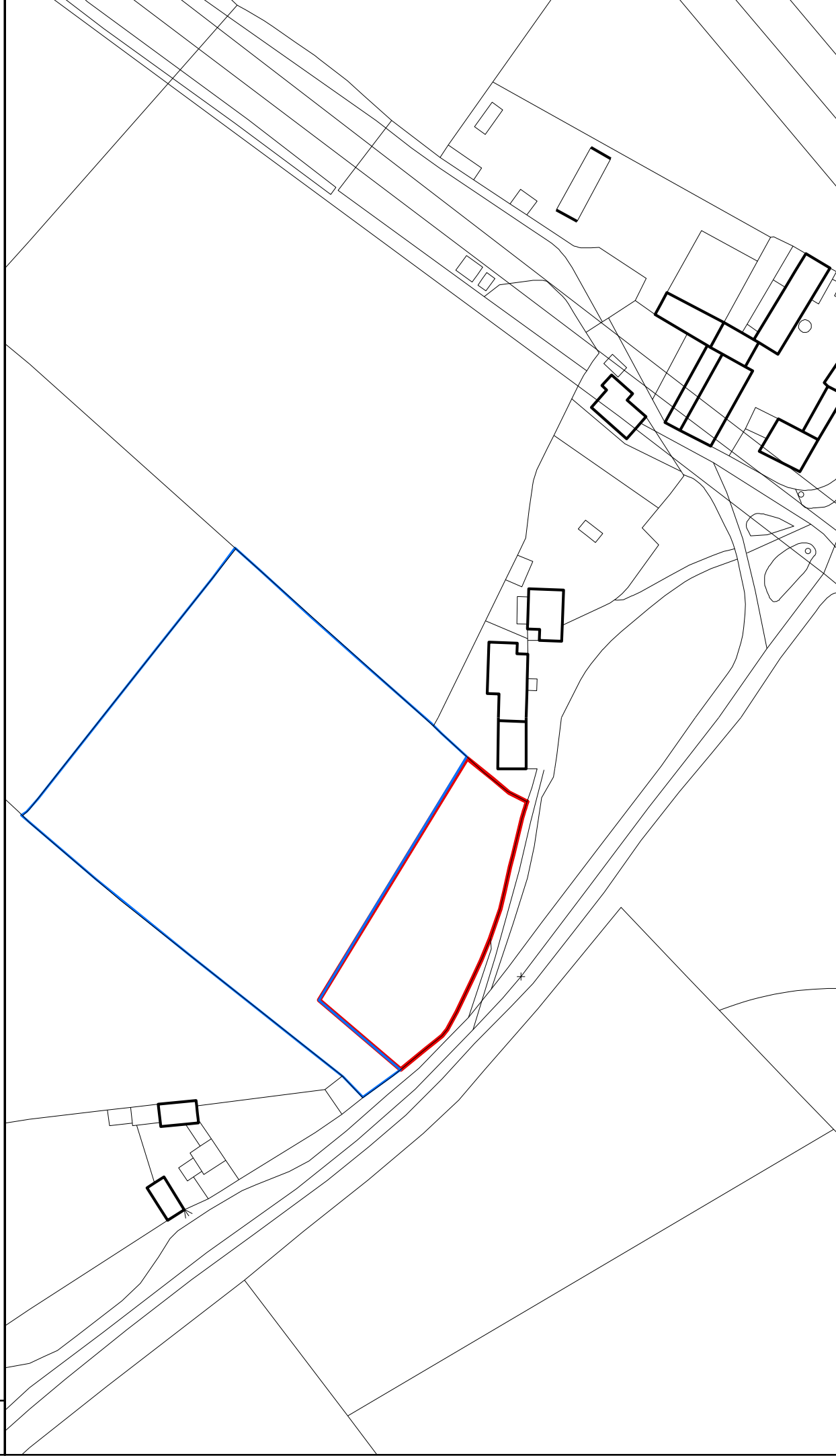
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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.

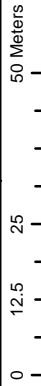


Land at Newtown, Irthlington



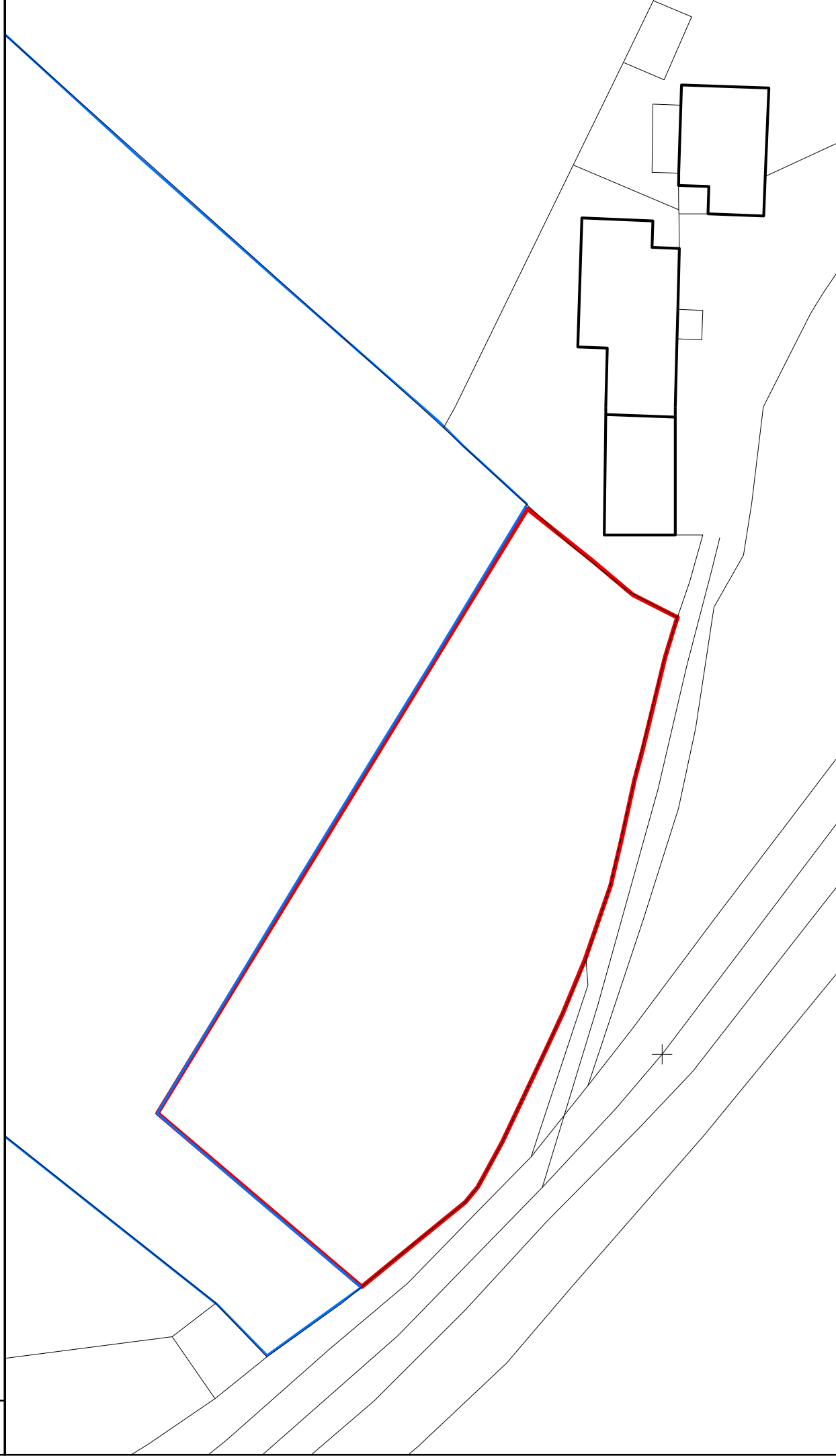
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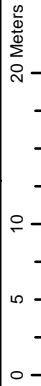
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Land at Newtown, Irthington



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