SCHEDULE A: Applications with Recommendation

21/1154

Item No: 02 Date of Committee:

Appn Ref No:	**Applicant:**	**Parish:**
21/1154	Citadel Estates	Carlisle
	Agent:	**Ward:**
	Sam Greig Planning Ltd	Denton Holme & Morton South

Location: Former KSS Factory Site, Constable Street, Carlisle, CA2 6AQ

Proposal: Variation Of Condition 2 (Approved Documents) And Removal Of Condition 13 (Emergency Vehicle Access) Of Previously Approved Application 18/0125 (Erection Of 43no. Dwellings) To Amend The Site Layout To Allow Units 12-31 (Inclusive) To Use The Adopted Highway East Of The Site (Retrospective Application)

Date of Receipt:	**Statutory Expiry Date**	**26 Week Determination**
17/12/2021	17/02/2022	

REPORT

Case Officer: Richard Maunsell

1. Recommendation

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

2. Main Issues

2.1 Whether The Principle Of Development Is Acceptable
2.2 Highway Issues
2.3 Crime Prevention, Safety And The Fear Of Crime And Anti-Social Behaviour
2.4 Impact On The Amenity Of neighbouring Residents
2.5 Other Matters

3. Application Details

The Site

3.1 This application was deferred at the previous meeting of the Development Control Committee to allow Members to undertake a site visit.

3.2 This application relates to the former Key Safety Systems (car accessories) factory located at the eastern end of Constable Street within Denton Holme, Carlisle. The site measures approximately 0.59 hectares and is generally flat varying in level between 17.45 and 17.60m AOD. Vehicular access is from Constable Street with a crossing over the Little Caldew mill race. The western boundary of the application site follows the Little Caldew/ mill race (which flows south to north) with the River Caldew approximately 250m to the south and east. To the immediate south and east there is a playground and residential development in the form of Ashman Close, Shankly Road, and Blunt Street. To the immediate north there is Freer Court. The former Kangol Factory site, partly developed as student accommodation, lies to the north-west.

3.3 The majority of the site was previously occupied by a metal clad building with a circular tank on the western boundary. The remainder of the site was largely tarmac or gravel surfaced hardstanding. Information previously submitted states that the factory closed in September 2014 and the building has been demolished since the submission of the previous planning applications.

3.4 The site falls within Flood Zone 2 i.e. a medium probability of flooding. The River Caldew is part of the River Eden and Tributaries SSSI and SAC.

Background

3.5 Members will note the varied planning history relating to the site. Planning permission has previously been granted with a central access road through the site with the access taken from Constable Street. A second access was permitted onto Leicester Street, albeit for use by cyclists, pedestrians and in the event of an emergency only.

3.6 Additionally, a condition was imposed on the planning permissions which reads:

"Prior to first occupation of any dwelling a suitable emergency access on to Leicester Street shall be designed and constructed to a suitable standard and in this respect further details shall be submitted to the local planning authority for written approval before work commences. No work shall be commenced until a full specification has been approved and the development shall be undertaken in accordance with the approved details. The approved works shall be complete prior to the occupation of the last dwelling."

3.7 In 2019 an application was submitted to vary the planning conditions to permit the retention of the bollards within the site, thus allowing half of the traffic from the development to exit onto Constable Street and the remainder to exit via Blunt Street. Following discussions and negotiations between Cumbria County Council as the Local Highways Authority and the applicant's highway consultant, a report was presented to the Development Control Committee with a recommendation for approval; however, following a debate by Members, the application was refused for the following reasons:

"Planning decisions should ensure that developments will function well and add to the overall quality of the area. The retention of the vehicular access onto Leicester Street results in increased vehicle movements from the development through the local highway network. The locality is characterised by terraced properties with narrow roads and on-street parking. The resulting increase in traffic has an adverse effect on the residential amenity of the existing areas. The proposal is therefore contrary to Paragraph 127 a) of the National Planning Policy Framework; and criterion 7 of Policy SP6 (Securing Good Design) of the Carlisle District Local Plan 2015-2030.

The proposal impacts on the wider local road network by increasing potential conflicts in relation to pupils attending Robert Ferguson Primary School and along Denton Street and given the narrow nature of local roads and junctions cause potential conflicts with larger vehicles e.g. delivery vehicles, conflicting with Policy IP2 (Transport and Development) of the Carlisle District Local Plan 2015-2030."

The Proposal

3.8 The current application is seeking permission to vary condition 2 of the planning permission (i.e. the approved documents) to allow the retention of the access unencumbered access onto Leicester Street which, if successful, would also necessitate the removal of condition 13. In addition, the proposal seeks permission for the retention of bollards that have been installed on the access road through the site. The proposal is therefore unaltered from that which was previously determined.

4. Summary of Representations

4.1 This application has been advertised by means of two site notices and direct notification to the occupiers of 57 of the neighbouring properties. In response, 16 representations have been received objecting to the application. The representations have been reproduced in full separately for Members, however, the main issues raised are summarised as follows:

1. Blunt Street is a quiet street and the additional traffic is causing damage to residents' cars;
2. the street is narrow with zoned parking on both sides;
3. the volume of traffic has increased as has the speed of vehicles;
4. residents from the development park at the bottom of Blunt Street causing an obstruction;
5. the access poses a danger to children playing in the street and a danger to pupils at Robert Ferguson school through increased traffic;
6. to change the condition limiting the access to being temporary only is very misleading;
7. the turning area at the end of Blunt Street is already difficult large vehicles struggle or cannot use the area;
8. the residents weren't consulted in respect of the new access which was supposed to be a wall;

9. the previous occupiers of the site could not get an entrance to the factory here because of the school crossing;
10. the entrance onto Blunt Street is unnecessary and unacceptable and plans have shown the entrance onto Constable Street where there's an existing and suitable access point;
11. there are no give way or traffic calming measures;
12. vehicles don't slow down or stop when entering/ leaving Carrick Square;
13. the traffic survey was taken at a quiet time;
14. the visibility splays on the access point of Carrick Square are 2.4m in both directions along Leicester Street but should be 60 metres in both directions on a 30mph Road, so this is clearly inadequate;
15. the description on the application form is misleading as it doesn't state what the application is for;
16. the local ward councillor told residents the developer had been instructed to install the bollards at the end of Blunt Street. The retrospective application shouldn't be allowed and enforcement action should be taken;
17. the agent's assertions are wrong and it is disingenuous to suggest the traffic into and out of the development is going to spread out using neighbouring streets;
18. opening the road up would result in a 'rat run' and contribute to crime and anti social behaviour;
19. issues about poor drainage have been reported to the county council which has got worse since the development.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - the comments made to the previous application 19/0935 should still apply to this application.

For reference, these read:

"*Local Highways Authority*

Following on from the previous Highways Authority response to this application dated 8 September 2020, a Stage 3 Road Safety Audit has been undertaken for the access onto Blunt Street and Leicester Street from the development site. As stated previously the Highways Authority had no objections with regards to the temporary access approved as part of the application 18/0125 becoming permanent.

The Highways Authority have reviewed the Stage 3 Road Safety Audit and agree with its findings. It is noted that the report does identify two minor safety issues which are stated below:
1. The absence of appropriate traffic signs and road markings for the speed hump at the entrance to Carrick Square.
2. The condition of the road surface on Leicester Street between Blunt Street and Carrick Square.

The applicant has stated that they are willing to provide the Road Hump warning sign and sharks tooth road marking at the speed hump, and to

undertake the patching works on Leicester Street at the Carrick Square / Blunt Street junction. In light of this the Highways Authority have no objections with regards to the proposals along with the granting of planning permission.

Lead Local Flood Authority (LLFA)

The LLFA has no objection to the proposed variation of condition 2 and removal of condition 13 as it is considered that the proposal does not increase the flood risk on the site or elsewhere.

Conclusion

The Highways Authority and LLFA have no objections with regards to the approval of planning permission subject to the resurfacing works on Leicester Street and Carrick Square/ Blunt Street Junction along with the road markings required as part of the Road Safety Audit being undertaken by the applicant";

Cumbria Constabulary - Community Safety Unit Liaison: - no comment.

6. Officer's Report

Assessment

6.1 Section 70(2) of the Town and Country Planning Act 1990/ 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 The relevant planning policies against which the application is the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and Policies SP6, IP2, IP3, CM4 of The Carlisle District Local Plan 2015-2030 are relevant. The proposal raises the following planning issues.

1. Whether The Principle Of Development Is Acceptable

6.3 The principle of development has been established through the planning permission that has been granted for the development. The properties have been completed and have been occupied for several years.

6.4 The issues of the impact on development within the flood zone; scale, layout and design; and accessibility are unaffected by this application. The remaining issues are discussed in the following paragraphs.

2. Highway Issues

6.5 The restrictive use of the access onto Leicester Street was at the request of Cumbria County Council as the Local Highway Authority (LHA). Following the submission of the previous application, the LHA initially raised objections to the proposal with the following consultation response:

"The application under consideration is to allow plots 12-31 to be accessed

permanently via Leicester Street rather than Constable Street as was agreed within the planning approval 18/0125. Please find attached the adoption records for this area. You will note that red lines annotate un-adopted / private roads

As part of the conditions associated with the planning approval 18/0125, conditions 12 and 13 state that there shall be no vehicular access to, or egress from the site, other than via the approved access onto Constable Street and an emergency access onto Leicester Street. This was agreed to avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety.

The Highways Authority have reservations regarding permanently increasing usage of the network to the east of this site onto Leicester Street. The reasons for this are:

1. *Only Blunt Street (to the east) is an adopted highway. We would therefore not encourage usage of these private roads. The Private Street works authority's view on the increased usage of these roads should be sought.*
2. *The network to the east (Blunt Street) is constrained by parked cars.*

In light of the above the Highways Authority recommend that the proposed change of conditions are refused. Not only will the proposed changes increase the risk of highway safety issues to the east of the site, but it would also decrease the current users (to the east of the site) amenity."

6.6 Officers employed an independent highway consultant to advise on the highway issues raised by this application. The report concluded that:

"16.1 It has been satisfactorily demonstrated that the proposed vehicular access to the site from Leicester Street will result in increased traffic using an inappropriate route that in turn will result in an unacceptable increase in accident risks for all road users including vehicles, cyclists and pedestrians.

16.2 This view has been supported by the Local Highway Authority that has stated in their responses to 3 previous planning applications that vehicular access from Leicester Street should not be permitted for the following reason:

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety.

16.3 It is evident that the safe, suitable existing access to the site from Constable Street is available and satisfactorily served the previous commercial use on the site. This existing access arrangement to the site has been approved by the Local Highway Authority for the previous planning applications.

16.4 To summarise, the previously approved access arrangement to the site has satisfactorily served the site with no access to Leicester Street provided or required. The proposal to provide a vehicular access to

Leicester Street would result in increased safety issues for all road users and has previously, and still is, opposed by the Local Highway Authority and local residents.

16.5 It is concluded therefore that the application should be refused in the interests of highway and pedestrian safety as recommended by the Local Highway Authority."

6.7 Since that time, the applicant engaged a highway consultant who, following meetings with the LHA, submitted a report to them which raised the following points in relation to highway safety:

- the temporary access has been in use for nearly two years and the effects on road safety can be established from the accident records. The temporary access to Blunt Street came into use in 2018, and there have been no personal injury accidents from the opening of the access until 30 April 2020 which is the date of the most recent accident data available;
- the accident record shows that the temporary access has not resulted in an increase in accidents on Blunt Street during its period of operation;
- further evidence as to the effect of a 20-home development being accessed from the end of a terraced street can be gained from Freer Court. This development the same size of the application site, 20 homes, located at the end of Freer Street which is identical to Blunt Street in width, length and on-street parking arrangements.
- Crashmap has been interrogated for accidents over the last 20 years and shows, below, that between 2000 and the 31 December 2019 there have been no accidents in Freer Street. This clearly shows that Freer Court has had no adverse impact on road safety on Freer Street and given the similarities between the two sites, a similar outcome would reasonably be expected at Blunt Street if the present access, limited to 20 homes, was to be made permanent;
- taking both the road safety record of Blunt Street during the period of operation of the temporary access (0 accidents in 2 years) and the road safety record of Freer Street (0 accidents in 20 years) there is no reasonable expectation that there would be an unacceptable impact on road safety if the application was to be approved;
- the consultation responses report a damage only accident involving damage to a car's wing mirror, but there is no indication that this damage was caused by residents at the development site and could have equally been caused by a resident of Blunt Street, and if so would have occurred whether or not the access to the site was open. The use of damage only accident in road safety assessments is not recommended because there is no statutory duty to report them;
- the temporary access serves 29 homes, and if the application is approved the number of homes will be reduced by 30% to 20 homes which will reduce the number of vehicle movements between the site and Blunt Street reducing accident risk compared to the present situation.

6.8 Responding to this information, the LHA confirmed that "…*the Highways Authority agree with the conclusion that the proposed access if made permanent would not create an unacceptable impact on road safety*" and no

objection is raised to vary conditions 2 and 13 of the planning approval.

6.9 In response to both these responses, the council's highway consultant queried whether the highway authority would be content that bollards would be adequate to prevent tampering, removal and creation of a ‘rat-run’. He also recommended that a Stage 1 Road Safety Audit be provided followed by Sages 2 and 3 as the design and construction progresses.

6.10 The LHA agreed with the recommendation for the Road Safety Audit and also requested a swept path analysis. They also clarified that there are no objections to the use of bollards which have worked in other locations throughout the county.

6.11 A Stage 3 Road Safety Audit was submitted and the LHA advised that subject to the undertaking of the works recommended in the report, no objection was raised. Therefore, subject to the imposition of a condition requiring these works to be completed, it was considered that the proposal didn't raise any highway issues.

6.12 As outlined earlier in this report, the previous application was refused by the Development Control Committee in 2021 for the reasons outlined in paragraph 3.6 of this report. The agent has submitted additional and supporting information in response which is summarised as follows:

Reason 1

- the reason for refusal refers to the residential amenity of the ‘existing areas’ and it is unclear whether this is referring to the residents’ enjoyment of the surrounding streets or more specifically the amenity of the individual dwellings. In that regard the reason for refusal is vague;
- in relation to the perceived impact on the residential amenity of the ‘existing areas’, any vehicles exiting the site via the proposed Carrick Square/Leicester Street access could access via other streets thereby diluting the perceived impact of traffic movements associated with 20 dwellings over three streets. Vehicle movements will be slow and relatively infrequent so there will no discernible increase in noise levels over and above that which exists at present;
- the council has previously concluded that the traffic associated with 43 dwellings will have no adverse impact upon the occupants of Constable Street or the wider area;
- it is irrational to suggest that the effect of all vehicular movements associated with 43 dwellings upon the residents of Constable Street is acceptable but that the impact of 20 dwellings via the Carrick Square/Leicester Street access is unacceptable;
- the dwellings on Constable Street are also positioned closer to the road than the properties on Blunt Street, Dale Street or Freer Street, where the streets have a wider pavements (circa 2.5 metres wide) and the properties are set back behind small front garden areas. This is not the case on Constable Street where the dwellings are situated on the directly to the rear of pavement, which is narrower than the aforementioned streets (circa 1.5 metres wide);

- in the delegated report for the temporary access, the only issue highlighted related to the potential use as a “rat-run”;
- in respect of the refused application that potential issue had been addressed through the provision of bollards that separate the eastern side of the site from the western side. In respect of the Council's previous assessment that the use of the temporary access would not *“result in any demonstrable harm to the living conditions of any neighbouring dwellings”* it must also be acknowledged that there has been no material change in circumstance since the Council reached that assessment;
- in the context of the refusal, the council in reaching a different conclusion is *“not determining similar cases in a consistent manner”*. The fact that anyone exiting or accessing the site via Leicester Street would have three potential routes to and from the site (via Dale Street, Freer Street or Blunt Street) and the fact that the dwellings are set back from the road are material considerations to be weighed in the balance;
- the intensity of vehicle movement is not such that there would be an overriding adverse impact. The refusal is based on a perception that the retention of the temporary access will result in an increase in vehicle movements, which will be unacceptable in terms of residential amenity. In reality, however, this is an unsubstantiated claim with no evidential basis;

Reason 2

- the application was supported by the Local Highways Authority, the council's independent highway consultant and the applicant's Transport Consultant in addition to a Stage 3 Road Audit, the recommendations of which would have been secured by means of a planning condition.
- the reason for refusal is not based on an adverse impact on highway safety per se, but on specific impacts;
- the increase in vehicle movements from the 20 dwellings using the eastern access, thereby passing Robert Ferguson School, will be imperceptible when compared with the vehicles movements generated by the existing dwellings located to the south of Robert Ferguson School;
- the perceived impact assumes that the additional increase in vehicle movements will occur at the point that children are going to or from school, in reality that will not be the case;
- the existing dwellings are served by large vehicles, such as refuse wagons. The additional larger vehicle movements using these streets that would generated by the additional twenty dwellings would be negligible;
- the use of the Leicester Street/Carrick Square access has taken place for over 3 years and none of the perceived impacts highlighted in the second reason for refusal have occurred;
- the council has already assessed the highway implications of the use of the access on a temporary basis via Application 18/0480 and concluded that “*it is not considered that the proposal raises any highway safety issues”*. The consideration of the highway issues are applicable whether the use is on a temporary or permanent basis and to reach a different conclusion where there has been no material change is inconsistent;
- on the basis of the above and the actual use of the surrounding streets, the use of the access has not generated the perceived conflicts that are alleged would occur and the perceived impact in the reasons for refusal

has been unreasonably overstated.

6.13 The points raised in the agent's submission provide further assessment in respect of the issues appertaining to the application. In providing a response to the council's reasons for the previous refusal of permission on this site, they provide grounds for Members to further consider the proposal and the associated planning issues, including the potential impact on the occupiers of neighbouring properties and users of the highway network. On the basis of this information, together with the highway consultants' advice in respect of the earlier application and Cumbria County Council's consultation response to this and the previous application raising no objection, it isn't considered that the proposal raises any issues in terms of highway safety.

3. Crime Prevention, Safety And The Fear Of Crime And Anti-Social Behaviour

6.14 Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."*

6.15 In order to comply with Policy CM4 of the local plan, all new development must contribute to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime. The policy proceeds to list a range of criteria that should be applied to all development proposals.

6.16 It would be a concern if there were to be unrestricted access directly through from Constable Street to Leicester Street and visa versa which would lead to a ‘rat-run’ being created though the development; however, the proposal includes the installation of bollards within the site. Thereby, half the residents would access the site from Constable Street with the remaining residents accessing the site from Leicester Street. The LHA has confirmed that the use of bollards is an appropriate solution and Cumbria Constabulary has raised no objection. As such, it is not considered that the proposal would result in the potential for an increase in crime and disorder and is therefore compliant with planning policies.

4. Impact On The Amenity Of Neighbouring Residents

6.17 There are properties adjacent to the applicant site and importantly, adjacent to both Constable Street and Blunt Street that would form the vehicular access into the site. Criterion 7 of Policy SP6 requires that development proposals should:

“ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable conditions for future users and occupiers of the development;”

6.18 The proposal would lead to an increase number of vehicles using the access from 20 of the properties within the development. The remaining 23 properties would use Constable Street as their means of access. The highway issues raised are discussed in the preceding paragraphs of this report. In terms of amenity, Blunt Street would continue to operate as a highway albeit with the additional vehicles from the development; however, the level of use is considered acceptable and the proposal would not be detrimental to the living conditions of the occupiers of these properties.

5. Other Matters

6.19 This application has been submitted under section 73A of the Town and Country Planning Act 1990 to vary a condition associated with a planning permission.

6.20 Paragraph: 015 Reference ID: 17a-015-20140306 Revision date: 06 03 2014 of the Planning Policy Guidance states:

"*Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.*

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. Further information about conditions can be found in the guidance for use of planning conditions.

As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation."

6.21 The development has been completed with the properties occupied since August/ September 2020 and there is therefore no requirement to impose a condition requiring the commencement of development. Similarly, the majority of the conditions attached to the previous permission which would ordinarily be imposed as part of the revised scheme, have fallen away. Therefore, it is only necessary to attach the conditions outlined in this report.

Conclusion

6.22 In overall terms the development of the site has previously been accepted and the development is established. The principle of the formation and use of a permanent access onto Leicester Street has been supported by the applicant's highway consultant which in turn has assessed by the LHA and the council's independent highway consultant. Following the receipt of additional information and a Stage 3 Road Safety Report, the LHA raises no objection. The works outlined in the Road Safety Audit are the subject of a condition requiring them to be undertaken together with a condition requiring

the retention of the bollards.

6.23 The use of the access onto Leicester Street would not adversely affect the amenity of the occupiers of neighbouring properties or result in an increase in crime and disorder in the locality due to the restriction of cars to travel through the site from one side to another. In overall terms, the proposal is considered to be compliant with the objectives of the relevant local plan policies and the NPPF.

7. Planning History

7.1 In 1973, under application numbers TP 2584 and TP 2711, planning permission was refused for residential development.

7.2 Planning permission was granted in 1978, application 78/0136, for the erection of buildings for general industrial purposes.

7.3 In 1979, application 79/0728, permission was given to convert wasteland to a car park.

7.4 Planning permission was granted in 1980, application 80/0312, permission was given for the provision of a water tank and pump house for fire protection.

7.5 In 2016, planning permission was refused for the erection of 50no. houses and a subsequent appeal to the Planning Inspectorate was dismissed.

7.6 With regard to neighbouring land to the site:

- in 1999, under application 99/0120, planning permission was given for the erection of 28 dwellings to form Freer Court;
- in 2010, under application 10/0415, full permission was given for the erection of 19 dwellings on the south side of Constable Street; and
- in 2012, application 11/0863, permission was given for student accommodation on land at Norfolk Street.

7.7 In 2017, a revised application for planning permission was granted for the erection of 44 dwellings, including formation of riverside path, landscaping and sustainable urban drainage systems.

7.8 Planning permission was granted in 2018 for the erection of 44no. dwellings, including formation of riverside path, landscaping and sustainable urban drainage systems (revised application) without compliance of condition 2 imposed by planning permission 17/0232 to reduce the number of units from 44 to 43 and revise the layout including alterations to elevations.

7.9 Later in 2018, planning permission as granted for erection of 43no. dwellings, including formation of riverside path, landscaping and sustainable urban drainage systems (revised application) without compliance with condition 2 imposed by planning permission 18/0125 to provide temporary vehicular access onto Leicester Street.

7.10 An retrospective application was refused in 2020 for the variation of condition 2 (approved documents) and removal of condition 13 (emergency vehicle access) of the previously approved application 18/0125 (erection of 43no. dwellings) to amend the site layout to allow units 12-31 (inclusive) to use the adopted highway east of the site.

8. Recommendation: Grant Permission

1. The approved documents for this Planning Permission comprise:

    1. the Planning Application Form received 17th December 2021;
    2. the Planning Application Form received 15th February 2018 approved as part of application 18/0125;
    3. the Site Location Plan received 7th February 2018 (Drawing no. 01/2014/00A Rev A) approved as part of application 18/0125;
    4. the Site Plan received 17th December 2021 (Drawing no. 01/2017/05G rev G)
    5. the Typical Ground Floor Plan received 23rd February 2018 (Drawing no. 01/2017/05F Rev F) approved as part of application 18/0125;
    6. the Proposed Front Street Elevation received 23rd February 2018 (Drawing no. 09/2017/10B Rev B) approved as part of application 18/0125;
    7. the Proposed Rear (Garden) Elevation received 7th February 2018 (Drawing no. 09/2017/06C Rev C) approved as part of application 18/0125;
    8. the Gable Elevations received 7th February 2018 (Drawing no. 01/2017/07B Rev B) approved as part of application 18/0125;
    9. the Flood Risk Assessment received 7th March 2018 approved as part of application 18/0125;
    10. the Flood Risk Assessment Addendum received 8th March 2018 approved as part of application 18/0125;
    11. the Stage 3 Road Safety Audit received 17th December 2021;
    12. the Notice of Decision;
    13. any such variation as may subsequently be approved in writing by the local planning authority.

    Reason: To define the permission.

2. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

    1. *Finished floor levels are set no lower than 18.15m above Ordnance Datum (AOD).*

    The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

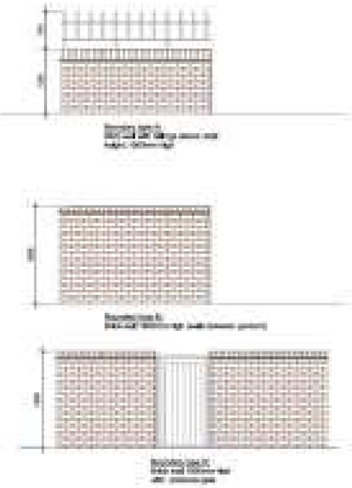
Reason: In order to provide resilience in case flooding did occur in accordance with Policy CC4 of the Carlisle District Local Plan 2015-2030.

3. The bollards shown on the Proposed Site Access And Visibility Splays (Drawing no. SK004 forming part of the Road Safety Audit) shall be retained and shall not be removed or altered unless otherwise agreed in writing by the local planning authority.

Reason: To ensure prevent access through the development to ensure an adequate means of access and to prevent potential crime and anti-social issues in accordance with Policies SP6, HO2 and CM4 of the Carlisle District Local Plan 2015-2030.

4. The works required by the Stage 3 Road Safety Audit comprising the resurfacing works on Leicester Street and Carrick Square/ Blunt Street Junction along with the road markings shall be undertaken and completed within 3 months from the date of this permission.

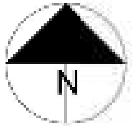
Reason: To ensure adequate means of access and highway infrastricture in accordance with Policies SP2 and HO2 of the Carlisle District Local Plan 2015-2030.



BOUNDARY TREATMENTS

GATES TO REAR PEDESTRIAN AREAS: Boundary treatment C above.

ACCESS & FACILITIES FOR THE FIRE SERVICE: Maximum distances to all new properties within the site meet current regulations:
1. Maximum length access roads within the site are 20m.
2. Minimum width of roads between kerbs is 3.70m.
3. All new properties are within a 45m radius from access roads within the site.



MATERIALS:

EXTERNAL HARD LANDSCAPING:

SITE LAYOUT PLAN 1:200

SITE PLAN		
43 NEW TERRACED HOUSES, FORMER KSS FACTORY SITE, DENTON HOUSE for CITADEL ESTATES LTD		
23-02-18	DWG. 51.001/05G	1:200
PAPER: A1	REV.G	amended layout

Nicholson Sloan Consultancy

Tetra Tech

Residential Development, Former KSS Factory, Carlisle
Junction of Blunt Street, Leicester Street and Carrick Square
Completed Highway Works

Stage 3 Road Safety Audit

Report No. NS21/623/RSA3 April 2021

REPORT CONTROL		
Document	Stage 3 Road Safety Audit	
Project	Residential Development, Former KSS Factory, Carlisle Junction of Blunt Street, Leicester Street and Carrick Square Completed Highway Works	
Client	Tetra Tech	
Report Number	NS21/623/RSA3	
Primary Author	Kevin Nicholson	
Reviewer	Nancy Sloan	

Revision History			
Issue	**Date**	**Status**	**Checked for Issue**
1	13/04/21	Issued to Client	

Contents

1. INTRODUCTION

1.1. This report results from a Stage 3 Road Safety Audit carried out on the completed highway works along the eastern boundary of the redevelopment of the former KSS Factory in Carlisle. The works subject to audit comprise the vehicular and pedestrian access into Carrick Square at the junction of Blunt Street with Leicester Street. Both entry and exit for vehicles from this section of Carrick Square are via this access, the Square being closed to vehicular traffic at its western end by a series of bollards.

1.2. Originally, the access was to be used for construction purposes only and was to be closed to vehicular traffic following completion of the building and highway works. Access would then have been from the western end only (via Constable Street and Richardson Street). However, the eastern access has been retained, and the purpose of this audit is to assess its previous and ongoing operation in road safety terms.

1.3. The streets in the area are subject to a speed limit of 30 mph and are lit, with a disc zone in operation (with resident's permit exemption). There are footways on both sides of Blunt Street and on the western side of Leicester Street. Carrick Square has a shared space central carriageway with parking bays adjacent to the properties on both sides. Although the access for Carrick Square is bounded by high walls, visibility for motorists on exit is adequate due to the presence of build-outs on both sides on Leicester Street, which also form the ends of informal parking bays. As with many other junctions in the area, there are no marked priorities for road users at the junction of Blunt Street, Leicester Street and Carrick Square.

1.4. An investigation of the Crashmap Database shows that there have been no recorded collisions in the vicinity of the works in the 5 years to March 2020.

1.5. The Road Safety Audit was requested by Eleanor Bunn of Tetra Tech and was carried out during March and April 2021. The Audit Team visited the site together (in compliance with current Covid-19 guidelines) during the hours of both daylight and darkness on Thursday 25 March, during which the weather was overcast and cold, and the road surfaces were dry. There was some vehicular activity, and a number of pedestrians and cyclists were observed. Also in attendance at the daytime site visit were Sarah Steel, representing Cumbria County Council (the Overseeing Organisation) and Norman Black, representing Cumbria Police.

1.6. The Audit Team membership was as follows: -

Kevin Nicholson	Nicholson Sloan Consultancy Limited (Audit Team Leader);
Nancy Sloan	Nicholson Sloan Consultancy Limited (Audit Team Member).

1.7. The terms of reference for this audit are as described in GG 119 in the Design Manual for Roads and Bridges. The Team has reported only on the road safety implications of the proposals and has not examined or verified the compliance of the design to any other criteria. However, and without being prescriptive, the Audit Team might refer to a design standard or technical guidance where this would help to clarify a safety problem or recommendation. In addition, there may be alternative methods of addressing a problem that would be equally acceptable in achieving the elimination or mitigation of a problem, and these should be considered in the light of the recommendations in this report.

1.8. The detail provided for the audit is shown in Section 5. All comments and recommendations are referenced to the design drawings and related documents and the locations of the items raised by the audit are shown on the plan in Section 6.

1.9. Where relevant within this report traffic signs will be described either by their reference numbers on the drawings or by their diagram number within the Traffic Signs Regulations and General Directions 2016 (TSRGD).

1.10. Within this report the generic term "pedestrians" can include walking pedestrians, wheelchair users, mobility scooter users, dismounted cyclists, the blind, partially sighted and mobility impaired. Reference may be made to specific groups where appropriate.

2. ITEMS RAISED BY PREVIOUS ROAD SAFETY AUDITS

2.1 The Audit Team are unaware of any previous Road Safety Audits carried out on the works.

3. ITEMS RAISED BY THIS STAGE 3 ROAD SAFETY AUDIT

3.1. PROBLEM

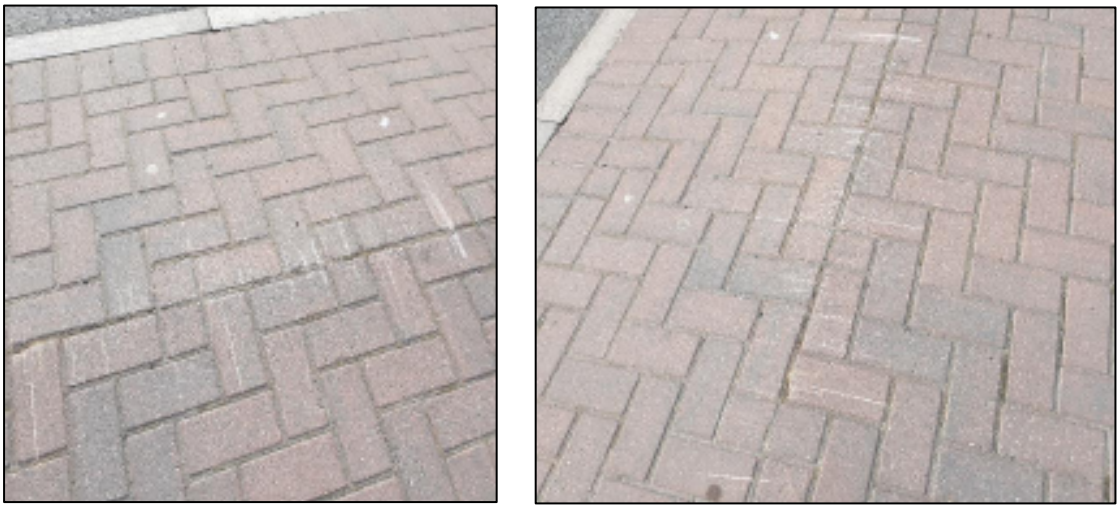
Location: The speed hump at the entrance to Carrick Square.

Summary: The absence of road markings could increase the risk of loss of control collisions.

There is evidence of vehicles grounding on the speed hump, but there are no shark's tooth markings on the ramps or warning signs present. In their absence, drivers and riders could fail to identify the hump, strike it at speed or brake suddenly and lose control.

RECOMMENDATION

It is recommended that road markings to Diagram 1062 are installed on the speed hump, and a sign to Diagram 557.1 provided, together with an appropriate supplementary plate.



Scratch marks on the speed hump

3.2. PROBLEM

Location: The junction of Blunt Street with Leicester Street.

Summary: The condition of the carriageway could increase the risk of collisions.

While perhaps a routine maintenance issue, the carriageway is patchy, broken out and worn in places. Motorists and two-wheelers could strike the damaged areas, with the risk of loss of control and of collisions. There is one are that has been plucked out that could further deteriorate, retain water and freeze, with the attendant risk of skidding collisions.

RECOMMENDATION

It is recommended that the damaged areas are repaired.


Broken out carriageway

4. AUDIT TEAM STATEMENT

We certify that this Road Safety Audit has been carried out in accordance with GG 119.

ROAD SAFETY AUDIT TEAM LEADER

Kevin Nicholson BSc, CMaths, MCIHT, FSoRSA,
HE Certificate of Competency — Signed:
Director, Nicholson Sloan Consultancy Limited
Cherry Tree Cottage — Date: 13/04/21
Hayton, Brampton, Cumbria, CA8 9HT

ROAD SAFETY AUDIT TEAM MEMBER

Nancy Sloan MCIHT, MSoRSA — Signed:
Nicholson Sloan Consultancy Limited
Cherry Tree Cottage — Date: 13/04/21
Hayton, Brampton, Cumbria, CA8 9HT

5. DRAWINGS AND DOCUMENTS PROVIDED

As this is a Stage 3 Road Safety Audit, no drawings or documents required assessment. However, the drawing below was used for information and for the Location Plan in Section 6.

DRAWING OR DOCUMENT NUMBER	PROJECT AND TITLE	DATE
A054387-SK004 REVISION -	FORMER KSS SITE, CARLISLE PROPOSED BOLLARDS AND EXISTING VISIBILITY SPLAYS	13.07.20

6. LOCATION PLAN OF ITEMS RAISED BY THIS AUDIT