# SCHEDULE A: Applications with Recommendation

		20/01/00
ltem No: 05	Date of Committee: 08/01/2021	
<b>Appn Ref No:</b> 20/0735	<b>Applicant:</b> Mrs Diane Ridley	<b>Parish:</b> Hayton
	<b>Agent:</b> Abacus Building Design	<b>Ward:</b> Wetheral & Corby
<b>Location:</b> Site Adjacent Sandy Hill, Faugh, Heads Nook, Brampton, CA8 9EG <b>Proposal:</b> Erection Of 3no. Dwellings (Outline)		
<b>Date of Receipt:</b> 30/10/2020	Statutory Expiry Date 25/12/2020	26 Week Determination

# REPORT

Case Officer: Alanzon Chan

# 1. Recommendation

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

# 2. Main Issues

- 2.1 Whether The Principle Of The Development Is Acceptable
- 2.2 Whether The Scale And Design Of The Dwellings Would Be Acceptable
- 2.3 Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties
- 2.4 Impact Of The Proposal On Highway Safety
- 2.5 Issues Regarding Foul And Surface Water Drainage
- 2.6 Whether The Proposal Would Lead to The Loss of The Best And Most Versatile Agricultural Land
- 2.7 Impact Of The Proposal On 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 is located at the northern edge of Faugh. The site area is

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approximately 0.39 hectares, and it is currently grazing land.

3.2 The development site is bounded to the west by a hedge and the C1035 road; to the north by a thicket of trees and the track leading to Faugh Quarry; to the south by a residential dwelling, Sandy Hill, and to the east by an agricultural field.

### The Proposal

3.3 The proposal seeks outline planning permission (with all matters reserved) for the erection of 3no. dwellings.

### 4. Summary of Representations

4.1 This application has been advertised by means of a site notice and notification letters sent to three neighbouring properties. No verbal or written representations have been made during the advertisement period.

### 5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): No objection subject to the imposition of conditions

**Hayton Parish Council:** The Parish Council are concerned that by allowing residential development at the end of a village would open the door to a much more significant development of large detached houses on a piece of land that was out-with the village in the future. The Parish Council has witnessed this happening in another village and will not want to see this happen in Faugh. The Parish Council has seen no evidence of the essential need for this proposed development.

Local Environment, Waste Services: No objection in principle Northern Gas Networks: No objection

**United Utilities:** No objection; recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy

### 6. Officer's Report

### Assessment

- 6.1 Section 70 (2) 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 are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP1, SP2, SP6, HO2, HO4, IP3, IP4, IP6, CC5, CM5, GI3 and GI6 of the Carlisle District Local Plan 2015-2030 (CDLP). The City Council's Supplementary Planning Documents 'Achieving Well Designed Housing' is also material planning considerations.

The proposal raises the following planning issues:

# 1. Whether The Principle Of The Development Is Acceptable

- 6.3 One of the main issues to establish when assessing this application is the principle of development. The NPPF and CDLP Policy SP1 require development proposals to be considered in the context of a presumption in favour of sustainable development in order to secure development that improves the economic, social and environmental conditions of the district.
- 6.4 Paragraph 10 of the NPPF outlines that "at the heart of the NPPF is a presumption in favour of sustainable development". This echoes with the objectives of the adopted CDLP Policy SP1, of which it advocates that when considering development proposals, Carlisle City Council should take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Meanwhile, Paragraph 59 of the NPPF states that:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

- 6.5 Paragraph 78 of the NPPF further states that housing in rural areas should be located where it will enhance or maintain the vitality of rural communities, and sustainable development in rural areas can help to support local services.
- 6.6 In terms of local policies, Policy SP2 of CDLP seeks to guide new development towards sites within or physically connected to existing towns and villages to help contain settlements and to protect the countryside from inappropriate development. As for Policy HO2, it makes provision for new windfall housing development within or on the edge of villages within the rural area of the district.
- 6.7 Both the NPPF and the aforementioned local policies recognise that development in one village may support services in a village nearby. Consequently, a development that will be well-related to an existing rural village could enhance the vitality of both local and nearby rural communities, and could positively contribute to the overall rural economy.
- 6.8 Faugh is a rural village which is located approximately 0.7 miles from Heads Nook, 2 miles from Great Corby, 2 miles from Warwick Bridge and 3.3 miles to Brampton, which is a Local Service Centre in the adopted Local Plan. Although there is only one public house/restaurant located within the village of Faugh, it is noted that Faugh is sufficiently well related to other larger rural communities both geographically and in terms of road network. As such, Faugh can be considered a sustainable location for residential developments.
- 6.9 The application site is located at the northern edge of Faugh and is physically

connected with the existing settlement. Taking into consideration the location of the village boundary sign, which is located at the northwest corner of the application site, the application site is considered to be within the village boundary of Faugh. As such, subject to the proposed development being of appropriate scale and design and having sufficient parking provision associated to it, it would be well related to existing residential properties in Faugh. In light of the above, the proposal is considered to be compliant with the NPPF and the objectives of CDLP Policy HO2, and the principle of residential development at this location is therefore considered acceptable.

6.10 A concern was raised that granting permission may lead to further residential developments in Faugh. Whilst this concern is acknowledged, it is noted that each application will be assessed on its own merits, and the local planning authority should not impede the delivery of sustainable development, in line with the objectives of the NPPF and CDLP Policy SP1.

# 2. Whether The Scale And Design Of The Dwellings Would Be Acceptable

- 6.11 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 and massing and make use of appropriate materials and detailing.
- 6.12 These matters are reserved for subsequent approval and do not form part of this application. That being said, taking into consideration the size of the plot, it is considered that a safe and reasonable sized garden area for each plot could to be created and, with appropriate landscaping, the proposal should not have a detrimental impact upon the character of the area. These issues could be resolved at the Reserved Matters stage.

### 3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Any Neighbouring Properties

- 6.13 Development should be appropriate in terms of quality to that of the surrounding area and development proposals should incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of the surrounding townscape and landscape. One criterion 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 Local Plan policies, which importantly requires that the suitability of any development proposal be assessed against the policy criteria.
- 6.14 Although the siting of the dwellings on the layout plan is only indicative, adequate separation distance could be maintained between the existing and proposed dwellings, and consequently, subject to scale and siting of the

proposed dwellings, the proposal should not have an adverse impact upon the living conditions of the occupiers of any neighbouring properties. This will be addressed in any Reserved Matters application.

# 4. Impact Of The Proposal On Highway Safety

6.15 The applicant proposes to create a new access onto the C1035 road to serve the proposed residential development. Cumbria County Council, as the Local Highways Authority, were consulted on the application and have raised no objection to the proposed development subject to imposition of a number of conditions. These conditions relate to the provision of adequate visibility on both directions; details of the surfacing of the access dirve; details of the surfacing of the driveways for each plot, measures to prevent surface water discharging onto the highway and the submission of a Construction Phase Traffic Management Plan. With the imposition of these planning conditions, the proposal would not have any adverse impact upon highway safety.

# 5. 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. 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 provisions at this stage. That being said, the agent has submitted a percolation test to demostrate that soakaway is possible within this site. The percolation test results was considered acceptable by the Local Lead Authority.
- 6.17 Since only outline planning permission is sought by this application, notwithstanding the percolation test submitted by the applicant, two pre-commencement conditions are proposed which would require the submission of details of both proposed surface and foul water drainage in writing for approval by the Local Planning Authority. For surface water drainage, it is noted that 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. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, and no surface water shall be discharged to the public sewerage system either directly or indirectly. For foul water drainage, it is noted that the applicant would need to drain foul and surface water on separate systems.

# 6. Whether The Proposal Would Lead to The Loss of The Best And Most Versatile Agricultural Land

6.18 It is accepted that the proposal would lead to the loss of agricultural land. The Agricultural Land Classification (published by Natural England) identifies this land as Grade 3. Grade 3 land is common both within the immediate vicinity of the application site and within the District as a whole. As such, it is not considered that the loss of this area of agricultural land would provide

sufficient grounds for refusal of the application.

### 7. Impact Of The Proposal On Existing Trees And Hedgerows

- 6.19 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 of 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.
- 6.20 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.
- 6.21 The application site is bounded by a mature hedgerow to the west and a thicket of trees to the north. The applicant has submitted a landscaping plan in support of this application and the submitted details confirms that all trees and hedgerows on site would be retained. However, due to the fact that this application seeks only to establish the principle of development, there is no requirement for the applicant to provide a detailed tree survey or landscaping plan in support of this application. As such, conditions are proposed which would require the submission of a landscaping scheme together with the installation of tree/hedge protection barriers prior to any development around any retained trees or hedgerows. As such, the proposal would be acceptable.

# 8. Impact Of The Proposal On Biodiversity

- 6.22 The Councils GIS Layer has identified that the site has the potential for several key species to be present within the vicinity. An Informative could be included within the Decision Notice which would ensure that if any protected species are found all work must cease immediately and the Local Planning Authority be informed.
- 6.23 Although there is no requirement for the applicant to submit any ecological appraisal at this stage, the applicant has employed Envirotech to undertake a preliminary ecological Appraisal. The Apprasial shows no records of protected or notable species at this site. That being said, there are records of protected or notable species within 2km of this site. The report contains some mitigation measures which are required to ensure that no protected species would be affected by the proposal. A condition and an advisory note are, therefore, proposed to ensure that the development is undertaken in accordance with these mitigation measures.

# 9. Other Matters

- 6.24 Under CDLP Policy HO4, affordable housing provision at this location will only be sought for the development that involves 6 units or more. Since this proposal only involve the erection of 3no. dwellings, the applicant is not obliged to make provision for any low cost dwellings on this occasion.
- 6.25 The applicant has submitted a desktop study contamination report in support of this application. The report concluded that it is extremely unlikely that there is any form of contamination in this locality. To ensure that there are no ground contamination or environmental risks associated with the application site, a condition is proposed which would require an investigation and risk assessment (and potentially a remediation scheme and a verification report) to be undertaken should contamination is found at any time when carrying out the approved development.

# Conclusion

- 6.26 The application seeks outline planning permission with all matters reserved. Therefore, this application only seeks to establish to principle of development of the site. Access, appearance, landscaping, layout and scale are reserved for subsequent approval and do not form part of this application. That being said, these 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.
- 6.27 In overall terms, the principle of development accords with the objectives of the NPPF, PPG, the Carlisle District Local Plan 2015-2030 and SPDs. In light of this, this application is recommended to be approved with conditions.

# 7. Planning History

7.1 There is no planning history relevant to the assessment of this planning application.

# 8. Recommendation: Grant Permission

- 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 works are 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:** To accord 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 accordance with the approved documents for this Outline Planning Permission which comprise:
  - 1. the Planning Application Form received 30 October 2020;
  - 2. the Location Plan and Block Plan (excluding the indicative site layout)(Dwg No. 2020/685/BH/001), received 30 October 2020;
  - 3. the Site Plan (Dwg No. 2020/685/BH/10)), received 30 October 2020;
  - 4. the Planning Statement, received 30 October 2020;
  - 5. the Desk Top Study Report for Contamination, received 30 October 2020;
  - 6. the Topographical Survey, received 30 October 2020;
  - the Preliminary Ecological Appraisal (compiled by Envirotech on 5 October 2020), received 30 October 2020;
  - 8. the Notice of Decision;
  - 9. any such variation as may subsequently be approved in writing by the local planning authority.

**Reason:** To define the permission.

- 4. No development shall be commenced until samples or full details of materials to be used externally on the proposed 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. The hereby permitted development shall be carried out and completed in full accordance with the approved details.
  - **Reason:** To ensure that materials to be used are acceptable in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.
- 5. Prior to the commencement of any development, a surface water drainage scheme, including a sustainable drainage management and maintenance plan for the lifetime of the development, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions 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. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, and no surface water shall be discharged to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

- **Reason:** To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off onto adjoining land including the highway and to reduce the risk of flooding in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030, in the interests of highway safety and environmental management and to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies within the National Planning Policy Framework and National Planning Practice Guidance.
- 6. 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, and to accord with the NPPF.
- 7. Foul and surface water shall be drained on separate systems. 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.

8. The development shall not commence until visibility splays providing clear visibility of 215 metres in a north easterly direction and site maximum in a south westerly direction, measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 and to accord with the NPPF.

9. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 10 metres inside the site, as measured from the carriageway edge of the adjacent highway.

**Reason:** To ensure a minimum standard of construction in the interests of highway safety and to support Local Transport Plan Policies: LD5, LD7, LD8

10. Full details regarding the surfacing of the driveways for each plot 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:** To ensure a minimum standard of access provision when the development is brought into use and to accord with the NPPF.

11. 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 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 and to accord with the NPPF.

- 12. Development shall not be begun until a Construction Phase Traffic Management Plan (CPTMP) has been submitted to and approved in writing by the local planning authority. The CPTMP shall include details of:
  - 1. details of proposed crossings of the highway verge
  - 2. retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development
  - 3. retained areas for the storage of materials
  - 4. cleaning of site entrances and adjacent public highway
  - 5. details of proposed wheel washing facilities for vehicles leaving the site
  - 6. the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway
  - 7. construction vehicle routing
  - 8. implementation of noise mitigation measures i.e. use of noise attenuation barriers, storage/unloading of aggregates away from sensitive receptors, use of white noise reversing alarms where possible
  - 9. provision and use of water suppression equipment
  - 10. dust management measures

- 11. use of vibro-compaction machinery/vibration management12. waste minimisation and management measures13. security
- **Reason:** To protect the living conditions of the occupiers of the adjacent residential properties in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.
- 13. 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 levels of the dwellings and garages (if proposed) shall be submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.
  - **Reason:** In order that the approved development is appropriate to the character and appearance of the area and doe snot adversely affect the occupier of a neighbouring property in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.
- 14. No development shall take place until details of a landscaping scheme have been submitted to and approved by the local planning authority.
  - **Reason:** To ensure that a satisfactory landscaping scheme is prepared to reduce the potential for crime in accordance with Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.
- 15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
  - **Reason:** To ensure that a satisfactory landscaping scheme is implemented and that if fulfils the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.
- 16. Prior to the commencement of development, details of tree protective fencing around the trees and hedgerows to be retained shall be submitted to and approved in writing by the local planning authority. The specification for all tree protective fencing must conform to BS5837:2012 'Trees in relation to Construction recommendations'. All tree protective fencing shall be erected and maintained outwith all root protection areas. No tree protective fencing shall be removed until all construction works and all plants and temporary accommodation have been removed from the site. Within the protection zone and the restricted area:

- no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree;
- no equipment, machinery or structure shall be attached to or supported by a retained tree or hedge or by the hedge protection barrier;
- no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area;
- no alterations or variations to the approved tree and hedge protection schemes shall be made without prior written consent of the local planning authority;
- no materials or vehicles shall be stored or parked within the fenced off or hatched area;
- no alterations to the natural/existing ground level shall occur; and
- no excavations will be carried out within the fenced off area.

17. Construction of any dwelling shall not commence until full details of the proposed hard surface finishes to all external areas have been submitted to and approved in writing by the local planning authority. The hereby permitted development shall be carried out and completed in full accordance with the approved details.

**Reason:** In the interests of visual amenity in accordance with Policies SP6 and CM5 of the Carlisle District Local Plan 2015-2030.

- 18. Prior to the occupation of any dwelling, particulars of height and materials of all screen walls and boundary fences shall be submitted to and approved by the local planning authority prior to the commencement of the development hereby permitted. All works comprised in the approved details of means of enclosure and boundary treatment shall be carried out in accordance with the approved details prior to the occupation of the dwelling.
  - **Reason:** To ensure that the work is undertaken in a co-ordinated manner that safeguards the appearance and security of the area in accordance with Policies SP6 and CM5 of the Carlisle District Local Plan 2015-2030.
- 19. The development hereby approved shall not be carried out otherwise than in complete accordance with the Mitigation Measures contained within pages 27 to 30 of the submitted Preliminary Ecological Appraisal (compiled by Envirotech on 5 October 2020), received by the Local Planning Authority on 30 October 2020.
  - **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.

**Reason:** To ensure that the trees and hedges are protected for the duration of the construction works in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

20. As part of the development hereby approved, adequate underground infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

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

- 21. 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.
- 22. 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.

