

21/0655

25.02.2022

Ward:
Wetheral & Corby

Proposal: Residential Development (Outline)

26 Week Determination

Case Officer: Suzanne Osborne

1.1 It is recommended that “authority to issue” approval be granted to the Corporate Director of Economic Development subject to the completion of a satisfactory S106 agreement to secure:

- a) the provision of 30% of the units as affordable;
- b) a financial contribution of £5,500 towards traffic calming measures;
- c) a financial contribution of £233,660 to be paid to Cumbria County Council towards the provision of primary school places;
- d) a financial contribution of £142,500 to be paid to Cumbria County Council towards primary school transport;
- e) a financial contribution of £151,134 to be paid to Cumbria County Council towards the provision of secondary school places;
- f) a financial contribution of £10,020 to be paid to Cumbria County Council towards secondary school transport;
- g) the maintenance of the open space within the site by the developer; and
- h) financial contributions of £26,000 towards the upgrading and maintenance of off-site open space, £20,000 towards the maintenance of off-site play facilities, and £6,500 towards the maintenance of off-site sports pitches.

1.2 If the legal agreement is not completed within a reasonable time then it is recommended that Authority be given to the Corporate Director of Economic Development to refuse the application.

2. Main Issues

- 2.1 The principle of development;
- 2.2 Whether the scale and design would be acceptable;
- 2.3 Impact of the proposal on the living conditions of the occupiers of any neighbouring properties;
- 2.4 Highway matters;
- 2.5 Affordable housing;
- 2.6 Education;
- 2.7 Open space provision;
- 2.8 Foul and surface water drainage;
- 2.9 Flooding;
- 2.10 Biodiversity;
- 2.11 Impact Upon Wetheral Conservation Area;
- 2.12 Impact Upon Heritage Assets;
- 2.13 Other Matters

3. Application Details

The Site

- 3.1 The application site, which covers 2.80 hectares, is a greenfield site located on the southern edge of Wetheral village on land which lies to the east of the B6263, Wetheral Community Centre and west of 'The Glebe'. The parcel of land is currently used for grazing and is surrounded by built development to the north, east and west. The buildings to the east, with the exception of Wetheral Community Centre, comprise two storey dwellings known as Wheatsheaf Gardens and Prior's Garth (which is currently under construction). To the north there are three bungalows as well as a number of two storey dwellings (including Green farm which is Grade II listed) which are set further towards the village with gardens that back onto the site. To the east there are single storey dormer bungalows at The Glebe.
- 3.2 The application site is currently accessed by two field gates one situated on the eastern side of the B6263 (the road which leads into Wetheral village from the direction of Cumwhinton) and one from The Glebe at the top of the turning head. There is also an existing access from the B6263 which serves Wetheral Community Centre and the temporary car park behind. The site boundaries consist of a mixture of hedgerows and trees with the exception of the northern boundary which also consists of a mixture of garden fencing.
- 3.3 The majority of the application site is allocated for housing in the proposal maps which accompany the Carlisle District Local Plan 2015-2030 with the exception of a strip of land measuring approximately 0.38 hectares to the south of the allocation immediately behind Wetheral Community Centre. The site has no specific constraints however Wetheral Conservation Area abuts

the site to the north.

- 3.4 The red line boundary of the application site also includes a strip of land (approximately 364 square metres in area) along the bank of the River Eden approximately 313 metres north-east of the application site. This parcel of land is located within flood risk zone 3 and Wetheral Conservation Area. The land also adjoins the River Eden and Tributaries SSSI/SAC and is neighboured by a two storey dwelling 'Meridale' to the south. On the opposite side of the road there is a two storey dwelling 'Edenside House' which is orientated east-west. There are also a pair of semi-detached Grade II Listed properties 'Edenside' and 'Edenside Cottage' and a two storey detached Grade II Listed Building 'River House' located beyond Edenside House overlooking the River Eden.

The Proposal

- 3.5 The proposal seeks Outline Planning Permission with all matters reserved for residential development on the site.
- 3.6 Although the application seeks Outline Planning Permission with all matters reserved an indicative plan has been submitted illustrating one way in which the development could come forwards. The indicative plan shows 70 dwellings on site - comprising 7 different house types (mixture of 2-4 bedroom properties consisting of dormer bungalows as well as detached, semi-detached and terraced houses and flats) positioned off a central spine road, which equates to 25 dwellings per hectare. The Design and Access Statement accompanying the application confirms that the dwellings are likely to range from 1, 1/2 and 2 storey.
- 3.7 The indicative plan shows the main access to the site via the existing access leading from the B6263 which serves Wetheral Community Centre. A footpath and emergency vehicle access via The Glebe is also illustrated with an area of open space provided within the middle of the site and the retention of a landscape tree belt to the south and hedgerows. The plans show that the temporary car park serving the village hall is to be removed with the formal car park retained.
- 3.8 The application is accompanied by a range of supporting documents including a Design and Access Statement, Heritage Statement, Transport Statement, Tree Report, Flood Risk Assessment, Ecological Appraisal, UU Pre-Development letter, Archaeological Desk-Based Assessment and Geophysical Survey, Ground Investigation Interpretive Report, Accident Data, Shadow Habitats Regulations Assessment, Surface Water Data sheet, and, Outline Landscape and Visual Impact Appraisal.
- 3.9 The indicative drainage plans submitted with the application illustrate the provision of a new underground surface water drainage system leading from the site towards the River Eden with the outfall on the strip of land adjacent to the bank of the River Eden approximately 313 metres north east of the application site.

4. Summary of Representations

- 4.1 This application has been advertised by the display of site notices, press notices and by means of notification letters sent to 73 neighbouring properties/interested parties. In response to the consultation undertaken 41 objections, 2 supports and 2 comments have been received.
- 4.2 The objections cover a number of matters which are summarised as follows:

General Issues

1. queries regarding how the application has been advertised;
2. scale of development in relation to the village;
3. village does not have amenities to accommodate the development;
4. no local school to accommodate additional children;
5. no provision for a children's playground;
6. surrounding primary schools are over subscribed;
7. development focus should be for sheltered or residential accommodation for the older generation who wish to remain in the village and access/parks for the younger people;
8. accuracy of plans - plot 30 is a 3 bed house not a bungalow behind existing bungalows as stated;
9. impact upon existing bungalows surrounding the site from proposed garages against the northern boundary;
10. query why Wetheral is being developed when St Cuthbert's is currently dormant;
11. density of development;
12. impact of the development on the garden village;
13. buses stop at 6pm and late night trains can be cancelled;
14. number of housing developments in the village are impacting upon stretched services;
15. visual impact of two modern housing developments directly across from each other at the southern end of the village;
16. development is contrary to policies HO1 and SP7 of the local plan;
17. loss of light and privacy to surrounding neighbouring properties;
18. impact upon the amenity of residents living on The Glebe from additional movements through The Glebe;
19. a third of the proposed plot is in a "Landscape of County Importance" - query how this can then be transformed into part of a deliverable site;
20. impact of the development on listed buildings such as the Grade 1 listed Wetheral Priory and Gatehouse;
21. field should be reserved for community needs;
22. a significant tree on the site was cut down over a year ago;
23. if development comes forward it should be built to the Code for Sustainable Homes standard.
24. existing residents already struggle to get a doctors appointment;
25. impact upon existing residents views of the River Eden from the drainage proposals;
26. site plan is inaccurate as it shows footpath all the way round the turning

- circle at the top of The Glebe;
- 27. site plan for adjacent properties is incorrect;
- 28. Inspectors decision on the Gladman's appeal for Scotby also applies to Wetheral site;
- 29. impact upon character/appearance of the village;
- 30. development on the site should be less dense and more fitting for the village;

Highway Issues

- 31. highway safety from proposed shared access to the Community Hall;
- 32. highway safety from overflow car parking area for Community Hall being taken back by the developer;
- 33. highway safety from additional vehicles on the road as a result of the development;
- 34. there should be traffic lights to ensure safe crossing to the village hall, playing fields and pre-school as well as appropriate footpaths and a speed camera;
- 35. pollution and congestion from additional vehicles;
- 36. little room in cul-de-sacs for vehicle manoeuvrability;
- 37. highway safety impacts upon The Glebe and the junction of The Glebe;
- 38. proposal to convert the whole of the lane past Wetheral Priory Gatehouse to Steele's Bank to a 20mph zone should be considered;
- 39. proposal will create congestion and parking issues on The Glebe;
- 40. should be a physical barrier to prevent general access onto The Glebe;
- 41. concern that The Glebe will be used as a rat run by cyclists and youths;

Drainage And Biodiversity

- 42. works to facilitate the proposed drainage outflow pipe will cause significant disruption along its lengthy route;
- 43. impact of proposed drainage arrangements on the river bank;
- 44. object to surface water from the development flowing into the River Eden;
- 45. impact upon River Eden SSSI/SAC by potential pollution;
- 46. design of drainage system will destroy surrounding environment;
- 47. visual impact of drainage system and impact upon conservation area;
- 48. grey water drainage outlet should be re sited to a different section of river;
- 49. impact of proposed drainage arrangements on river flow;
- 50. drainage arrangements would set a dangerous precedent;
- 51. capacity of existing drainage system is inadequate and needs to be upgraded;
- 52. proposal would exacerbate ponding that occurs at the junction of the B6263 and Ferry Hill Road from the combined system during heavy and prolonged rain fall;
- 53. Habitat Risk Assessment should be undertaken for impact upon the River Eden; and
- 54. drainage is 1/4 of a mile from the building site.

4.3 The letters of support are summarised as follows:

1. Wetheral is a nice place to live and has a lot of amenities;
2. facilities and organisations thrive because of people who live in the village;
3. villages and communities cannot stand still they need to develop and adapt;
4. important to realise that all houses in Wetheral were "new" once;
5. development is on land zoned in local plan; and
6. development includes a good proportion of affordable houses.

4.4 The comments received are summarised as follows:

1. query address of application site;
2. query regarding location of site notices; and
3. plan used is not showing correct site plan for 21/0234.

4.5 Councillor Stephen Higgs has also objected to the development on the following grounds:

1. object to the drainage proposals on the bank of the River Eden which is effectively a small industrial compound; and
2. members should undertake a site visit where drainage proposals are to take place.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objection subject to the funding of a gateway feature to the cost of £5,500 and the imposition of 8 planning conditions regarding 1) full specification of the construction of carriageways, footways etc; 2) details of measures to prevent surface water drainage discharging onto or off the highway; 3) provision of foot ways to link continuously and conveniently to the nearest existing foot way; 4) details of parking provision within the site; 5) construction parking details; 6) construction traffic management plan; 7) surface water drainage details; and 8) construction surface water management plan.

Wetheral Parish Council, Wetheral Community Centre: - address noted as Wetheral South in the CDLP 2015-2030, not west of Steele's Bank.

Allocated housing total states in the CDLP is 60 dwellings. This application is 15% over, at 70 dwellings. This is over development of the site.

Members support the diverse mix of housing and hope that this will be retained for the development.

Suggest that electric charging points are installed, and PV cells or other green energy be used. Traffic calming measures should be installed between the village boundary and the top of Primrose Hill, to help curb the effects of

additional traffic and speeding vehicles.

The committee has seen nothing in the application that ensures that the River Eden, a SSSI, remains undamaged by drainage and other arrangements connected with the site. This should be clarified in the planning documents.

In response to further consultation the Parish restated its previous objection to the drainage plans, particularly the drainage outfall onto the banks of the River Eden. The proposed fencing and concrete are not in keeping with the location, which is an SAC.

Cumbria County Council (Education Department): - estimated that the development would yield 24 children based on a population led model consisting of 14 primary and 10 secondary age pupils. the catchment schools for this development are Scotby CE School (2.5 miles) and Central Academy School (4.5 miles). The only other primary nearer to the development is Cumwhinton School (1.5 mile). The next nearest secondary schools are Trinity School (4.8 miles) and St John Henry Newman Catholic School (4.8 miles). RC schools are faith schools and have no specific catchment area, as they take children from a larger undefined area.

The catchment primary school is oversubscribed and cannot take the 14 pupils yielded from the development therefore an education contribution of £233,660 (14X £16,690) is required so that capacity can be provided to mitigate the impact of the proposed development. Feasibility work undertaken at Scotby School has established that it would not be feasible to expand the school. The conclusion is that the best solution to provide capacity in the east of Carlisle to expand Cumwhinton because that is where the impact will be from developments in Cumwhinton, Scotby and Wetheral. In this instance it is important to note that Cumwhinton is the closest primary school.

A primary school transport contribution of £142,500 is also required as although Cumwhinton school is within walking distance the route is not safe.

There will be only 4 places available of the required 10 to accommodate the secondary pupil yield from this development. Therefore a secondary education contribution of £151,134 (6x £25,189) is required to help provide additional secondary school capacity.

A secondary school transport contribution of £10,020 is also required as the catchment school Richard Rose Central Academy is over the 3 mile walking limit from the development.

Local Environment - Environmental Protection (former Comm Env Services- Env Quality): - no objection subject to two conditions regarding 1) unsuspected contamination and 2) electric car charging points.

Standing advice regarding noise, vibration and dust.

(Former Green Spaces) - Health & Wellbeing: - insufficient detail in the Design and Access Statement on the provision of, or access to, open space

to meet the recreational needs of residents living in the new development.

Based on estimated occupancy of 180 persons there is a deficit of 0.46ha of open space therefore require an off-site contribution of circa £26,000 to upgrade and maintain open space which is accessible from the development. There are sufficient play facilities and sports pitches nearby however an off-site contribution of circa £20,000 is required towards the maintenance of existing play provision and circa £6,500 towards the maintenance of off-site sports provision.

Advice has also been received confirming that the developer will need to manage any open space provided through the development and open space should have direct overlooking.

Cumbria Fire & Rescue Service: - no response received;

Local Environment, Waste Services: - no objection, advice received regarding waste collection for indicative plot numbers 12-16. 23-25 and 56-59.

Natural England - relating to protected species, biodiversity & landscape: - no objection subject to a condition ensuring a Construction Environmental Management Plan including an Invasives Species Management Plan for the control of Himalayan Balsam.

Advise that the Authority may also wish to secure an updated Ecology Report if outline approval is granted as the submitted Ecological Appraisal was undertaken in the winter. Based on the result ideally the Authority should then seek a 10% net gain in habitat provision as result of the proposal. Note that 2 mature trees are to be removed which have high bat roosts potential. A bat inspection survey will therefore be required prior to any works to these trees.

Planning - Access Officer: - no comments;

Environment Agency (N Area (+ Waste Disp & Planning Liaison Team): - surface outfall to the River Eden Special Area of Conservation will require a flood risk activity permit (FRAP). Advice received regarding Flood Risk Activity Permit and associated Habitats Regulations Assessment.

United Utilities - (for water & wastewater comment) see UUES for electricity dist.network matters: -no objection subject to the imposition of two conditions ensuring 1) full details of a surface water drainage scheme, and, 2) foul and surface water drained on separate systems. Also suggest a condition regarding a management and maintenance regime for any sustainable drainage system.

Advice received regarding water supply; and, United Utilities' property, assets and infrastructure.

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) together with Policies SP1, SP2, SP6, SP8, HO1, HO2, HO4, IP1, IP2, IP3, IP4, IP5, IP6, IP8, CC4, CC5, CM2, CM5, HE2, HE3, HE7, GI1 and GI3 of the Carlisle District Local Plan 2015-2030. The Cumbria Landscape Character Guidance and Toolkit (CLCGT), Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (LBA) and the Council's Supplementary Planning Documents (SPD) 'Achieving Well Designed Housing', 'Affordable and Specialist Housing', 'Trees and Development' and 'Designing Out Crime' are also material planning considerations.
- 6.3 The proposal raises the following planning issues:

1. The principle of development

- 6.4 The majority of the application site, with the exception of a strip of land approximately 0.38 ha in area to the south behind Wetheral Community Centre is allocated for housing (R19-Wetheral South) in the adopted Carlisle District Local Plan 2015-2030. An indicative yield of 60 dwellings has been identified for the allocated site which measures 2.2ha in area and also encompasses land immediately to the south of Wheatsheaf Gardens.
- 6.5 It is evident that part of the allocated site, not subject of this application, has come forward earlier than expected with approximately 0.64ha in area (the land immediately to the south of Wheatsheaf Gardens now known as 1-9 Prior's Garth) granted permission for 9 dwellings with a new access taken from the B6263. At the time of the officer site visit for the current application the 9 dwellings were under construction.
- 6.6 The principle of the allocated site for housing has already been assessed and established as acceptable under the local plan allocation and adoption process. The additional strip of land included in this application which falls outside of the allocation would have to be considered as windfall development and would need to be assessed against Policies HO1 (Housing Strategy and Delivery), HO2 (Windfall Housing Development) and SP2 (Strategic Growth and Distribution) of the Carlisle District Local Plan 2015-2030.
- 6.7 Policy HO1 states that any unallocated sites which come forward for development and would prejudice the delivery of the housing strategy will be resisted. Policy HO2 of the Carlisle District Local Plan 2015-2030 (CDLP)

allows for windfall housing development other than those allocated within or on the edge of Carlisle, Brampton, Longtown, and villages 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 namely that 1) the scale and design of the proposed development is appropriate to the scale form, function and character of the existing settlement; 2) the scale and nature of the development will enhance or maintain the vitality of the rural community within the settlement where the housing is proposed; 3) on the edge of settlements the site is well contained within existing landscape features, is physically connected; and integrates with the settlement, and does not lead to an unacceptable intrusion into open countryside; 4) in the rural area there are either services in the villages where the housing is being proposed, or there is good access to one or more other villages with services, or to the larger settlements of Carlisle, Brampton and Longtown; and 5) the proposal is compatible with adjacent land users.

- 6.8 The parcel of land subject of this application which is unallocated is located to the immediate south of housing allocation R19 to the east of Wetheral Community Centre. A buffer of trees surrounds the south and eastern boundaries of the land which provides a natural containment. It is therefore considered that the additional parcel of land proposed for housing is physically connected to the village and housing allocation R19. Consequently the proposal would not lead to an unacceptable intrusion into the open countryside. As the additional land is considered to be well integrated with the existing village (which contains a range of services) the development site is considered to be within a sustainable location which will help to maintain the vitality of the rural community within the settlement where the housing is proposed. The additional land will not prejudice the delivery of the spatial strategy of the local plan and the principle of housing on this additional land is therefore considered policy compliant.

2. Whether The Scale And Design Would Be Acceptable

- 6.9 The layout and design of the dwellings are reserved for subsequent approval and do not form part of this application. The indicative plans that accompany the application show development of 70 dwellings which is an appropriate density for the site in the context of the surrounding area.

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

- 6.10 There are a number of existing dwellings which adjoin the site and the occupiers of a number of these properties have raised concerns about the impact of the proposed development on their residential amenity. These issues would be considered at the Reserved Matters stage, when the location, heights, orientation and the design of the dwellings would be determined.
- 6.11 Notwithstanding the above it is clear that dwellings could be accommodated on the site without having an adverse impact on the living conditions of the occupiers of any neighbouring properties through loss of light, loss of privacy

or over dominance.

4. Highway Matters

- 6.12 As the application seeks outline planning permission for all matters reserved, access is a matter for consideration at the reserved matters planning application stage.
- 6.13 Notwithstanding the above the indicative plans demonstrate that the existing access from the B6263 when serves the village hall and was designed to accommodate the allocated residential development can be utilised as the main access with pedestrian and emergency vehicle access through The Glebe. The submitted plans illustrate visibility splays of 2.4x60 metres for the primary access onto the B6263 and existing visibility splays of 2.4x46 metres in a north direction and 2.4x100 metres in a south direction from The Glebe which the emergency vehicle access links onto.
- 6.14 The Highway Authority has raised no objection to the development subject the imposition of 8 planning conditions regarding 1) full specification of the construction of carriageways, footways etc; 2) details of measures to prevent surface water drainage discharging onto or off the highway; 3) provision of foot ways to link continuously and conveniently to the nearest existing foot way; 4) details of parking provision within the site; 5) construction parking details; 6) construction traffic management plan; 7) surface water drainage details; and 8) construction surface water management plan.
- 6.15 The Highway Authority has also noted that a speed survey undertaken as part of the application indicated 85th percentile speeds of 32mph for northbound vehicles and 36mph for southbound vehicles. As the development will increase the number of vehicles using the B6263 Highways have also requested a financial contribution of £5,500 from the applicant towards a gateway feature at the 30mph zone entrance into Wetheral to reduce vehicular speeds with the feature secured by a S278 agreement with the Highways Authority. The applicant has agreed to enter into a S106 to provide the funding for the required traffic calming measure.

5. Affordable Housing

- 6.16 Local Plan Policy HO4 requires 30% affordable housing on sites in Affordable Housing Zone A which encompasses Wetheral, and stipulates that the affordable housing provision should be 50% affordable/ social rent (usually through a Housing Association) and 50% intermediate housing (usually discounted sale at a 30% discount from market value through the Council's Low Cost Housing Register).
- 6.17 In accordance with Policy HO4, based on a 70 unit scheme, the requirement would therefore be 30% affordable housing (50% for affordable/ social rent & 50% intermediate housing) which would equate to 21 affordable dwellings provided on a 50/50 basis.
- 6.18 The Council's Affordable and Specialist Housing Supplementary Planning

Document recommends that on sites between 50-99 units 5% of the dwellings provided are bungalows or other accommodation for older persons which applies to both the open market and affordable sectors. Based on the indicative plans this would equate to 3-4 bungalows or other adaptable unit types suitable for older persons.

- 6.19 The provision of affordable housing would be secured through a S106 Agreement and the exact details (tenure and mix) would be resolved at the Reserved Matters stage.

6. Education

- 6.20 Using a population-led model, as no dwelling mix has been provided at this stage, a development of 70 dwellings is estimated to yield 24 children: 14 primary and 10 secondary.
- 6.21 The catchment schools for this development are Scotby (2.5 miles) and Central Academy (4.5 miles). The next nearest schools are Cumwhinton (1.5 miles) for primary and St John Henry Newman Catholic School for secondary (4.8 miles).
- 6.22 The catchment primary school of Scotby is over subscribed and cannot take the 14 pupils yielded from the development, therefore an education contribution of £233,660 is required so that capacity can be provided to mitigate the impact of the proposed development. The County Council, as the relevant Education Authority, has confirmed that there has been some feasibility work undertaken at Scotby Cof E Primary School which established that it would not be feasible to expand the school. The conclusion was that the best solution to provide capacity in the east of Carlisle is to expand Cumwhinton because that is where the impact will be from developments in Cumwhinton, Scotby and Wetheral. In this instance it is important to note that Cumwhinton School is the closest primary school, situated 1.5 miles from the development.
- 6.23 The Education Authority has also confirmed that Cumwhinton School is within statutory walking distance however the route is not safe therefore a primary transport contribution of £142,500 is also required.
- 6.24 In terms of secondary schools the County has confirmed that when considering the effect on pupil numbers from known levels of housing development across Carlisle, it is considered that there will be only 4 places available of the required 10 to accommodate the secondary pupil yield from the development. An education contribution of £151,134 is therefore required.
- 6.25 The County has also confirmed that Richard Rose which could accommodate 6 of the secondary aged children from the development is over the 3 mile walking limit therefore a transport contribution towards rail passes of £10,020 is required.
- 6.26 The applicant's agent has agreed to pay the relevant contribution therefore

there is no policy conflict.

7. Open Space Provision

- 6.27 Policy SP8 of the adopted Local Plan states that conditions, legal agreements and developer contributions will be sought to secure new or enhanced green infrastructure provision on, or associated with, new development. Developers will be expected to provide some aspects of green infrastructure within developments, ensuring that, where possible, they integrate with wider green infrastructure networks. Furthermore Policy GI4 of the CDLP states that new developments of more than 20 dwellings will be required to include informal space for play and general recreational or amenity use on site according to the size of the proposal. The developer will be required to ensure that appropriate measures are put in place for the future management and maintenance of such spaces. On smaller housing sites, where on site provision is not appropriate the developer may be required to make commuted payments towards the upgrading of open space provision in the locality, especially if a deficit has been identified.
- 6.28 Policy GI4 goes onto confirm that all new dwellings should have safe and convenient access to high quality open space, capable of meeting a range of recreational needs. Where deficits are identified, new development will be expected to contribute towards the upgrading of an existing open space to improve its accessibility or the creation of a new one within the immediate locality.
- 6.29 The indicative plan that accompanies the application shows areas of informal open space in the middle of the site and at the eastern end of the site, adjacent to The Glebe. The Council's Green Spaces team has been consulted on the proposal and has confirmed that a development of this size needs to provide onsite and/or access to high quality green space to meet a range of recreational needs. There is insufficient detail in the Design and Access Statement on the provision of or access to open space to meet the recreational needs of residents living in the new development. The indicative landscaping plan shows 0.19ha of open space. The target is 3.6Ha/1,000 population which equates to 0.65ha based on the estimated occupancy of 180. There is therefore a deficit of 0.46 Ha and an off-site contribution of circa £26,000 would be required to upgrade and maintain open space accessible from the development. There is no play provision on site but there are facilities nearby which are in reasonable order therefore no contribution would be required for additional facilities however a contribution of circa £20,000 (depending on number and size of the units) would be required for the maintenance of existing facilities which would be accessible by the development. As there are existing sport pitches also accessible by the development a contribution of circa £6,500 would be required. Green spaces has also confirmed that the developer will be required to ensure appropriate measures are put in place for the management of any open space provided through the development and it would be more preferable if the open space that provides access into The Glebe has direct overlooking.
- 6.30 As this application seeks outline planning permission with all matters

reserved the exact levels of contribution required cannot be calculated without further information and the level of on-site open space, together with its positioning, will be considered during the Reserved Matters application. If a suitable amount of usable open space is not provided on the site the S106 will need to be varied to increase the financial contribution payable to the City Council. The developer would need to maintain this open space and this could be secured through a Section 106 Agreement.

8. Foul and Surface Water Drainage

- 6.31 There is a clear policy requirement to provide adequate provision for foul and surface water facilities to ensure that sufficient capacity exists prior to commencement of any development.
- 6.32 The application seeks only to establish the principle of development however drainage details/information has been submitted with the application demonstrating one way that drainage for the housing development could be achieved. The accompanying information for the application demonstrates that direct infiltration for surface water is not possible on site following ground investigations. The applicant has submitted indicative drainage plans illustrating that surface water drainage from the site could discharge to the River Eden via a new United Utility surface water drain and on site attenuation to accommodate 1 in 100 year flooding plus 40% to account for climate change. The indicative drainage details illustrate an underground system located along the public roads leading from the site towards a section of land along the bank of the River Eden (as discussed in paragraph 3.9 of this report) with an outfall to the River Eden. The indicative plans show that the outfall will be underground for the first 6.9 metres of the river bank leading from the road followed by a 2.2 metre long (0.6-1.4 of a metre in width) concrete discharge area then a 10.3 metre long (0.6m wide) open discharge channel leading into the River Eden which follows the profile of the ground. The indicative plans also illustrate enabling works consisting of 1 metre high post and wire fencing surrounding the first 6 metres of the site (which is currently in situ and does not require planning permission) as well as a handrail and steps following the profile of the land. The agent has confirmed that the handrail is likely to be 1.1 metre in height.
- 6.33 The relevant Lead Local Flood Authority (LLFA) has been consulted on the development and has noted that the applicant has gone through the hierarchy of surface water drainage options outlined in the NPPF and the Cumbria Development Design Guide. The LLFA accepts that sufficient evidence has been provided to demonstrate that direct infiltration on site is not viable and therefore accepts the next option of discharging surface water to a water course by a new surface water culvert. The LLFA have stated that a suitable legal agreement will be required for the construction of the new surface water culvert beneath the adopted highway network. The LLFA have noted that the indicative drainage plans illustrate that surface water can be attenuated from the site in line with green field run off rates which is acceptable in principle however no detailed calculations have been submitted to demonstrate that the level of attenuation proposed can be accommodated without increasing flood risk on site or downstream. The LLFA has confirmed that this

information can be provided at a later stage of the planning process and can be secured by through the use of appropriate planning conditions.

- 6.34 The LLFA has also confirmed that a plan should also be submitted regarding exceedance routes for the development site in the event of a failure of the drainage network and impermeable surfacing within the development site is to be added to the drainage design. They have also noted that flooding occurs to the north of the development site due to overland flow as such the applicant will need to consider these flows during the design of the drainage network for the development and mitigate against any potential impacts. Again the LLFA has states that this information can be provided at a later stage of the planning process and can be secured by the use of relevant planning conditions. The LLFA has therefore raised no objection to the principle of the development subject to relevant conditions ensuring 1) details of measures to prevent surface water drainage discharging onto or off the highway; 2) surface water drainage details; and 3) construction surface water management plan.
- 6.35 The drainage information submitted also confirms that foul drainage from the site can connect to the existing United Utilities (UU) network. The principle of a foul water connection to the existing UU network is acceptable to United Utilities.
- 6.36 As stated within this report the application is seeking outline planning permission with all matters reserved. In relation to the above it has been demonstrated through the indicative plans and submitted drainage information that the site can be drained in accordance with the hierarchy of drainage options outlined in the NPPF subject to pre-commencement conditions which would ensure the submission of further details in respect of foul and surface water drainage.

9. Flooding

- 6.37 The application site where the housing is to be located is not situated within a flood zone however the parcel of land adjacent to the River Eden is located within flood zone 3. The Environment Agency has been consulted on the development and has raised no objection. The Environment Agency has however confirmed that the construction of an surface water outfall in the river bank together with any temporary/enabling works will require a bespoke flood risk activity permit from the Environment Agency as well as an associated Habitats Regulations Assessment with a full method statement for construction of the outfall in the River Eden SAC, and, a localised survey with confirmation of the presence or absence of an otter holt in the direct vicinity of the proposed outfall.
- 6.38 The Flood Risk Activity Permit is a separate regulatory process which the applicant will need to adhere to if they proceed with the indicative surface water drainage option of discharge of surface water drainage into the River Bank. Relevant pre-commencement planning conditions can be imposed within any decision notice requesting full construction details of any surface water outfall into the River Eden as well as further survey work regarding the

presence or absence of otter holt's.

- 6.39 The issue of any localised surface water flooding on the land subject of this development has been addressed in sections 6.31-6.36 of this report.

10. Biodiversity

- 6.40 An ecological appraisal has been undertaken on the site which concludes that the application site where the housing is to be located comprises of poor semi-improved grassland, with low species diversity and low ecological value. There is no conclusive evidence of any protected species regularly occurring on the site which would be negatively affected by site development following mitigation proposed. The appraisal states that mature/veteran trees to the periphery of the site should be retained and the protection of trees, hedgerows and woodland on the site boundary and additional landscaping will promote structural diversity in both the canopy and at ground level and could encourage a wider variety of wildlife to use the site than already occurs.
- 6.41 The submitted indicative landscape scheme illustrates that appropriate mitigation can be incorporated into the final design to minimise the impacts of the development including the retention and protection of mature broad leaf trees; retention and enhancement of the majority of the hedgerows; additional trees, shrub and bulb planting; use of a flowering lawn mixture in gardens. Such mitigation measures can be secured by condition would ensure that the proposal does not have an adverse impact on biodiversity.
- 6.42 Natural England has been consulted on the application and requested in their first consultation response that a Habitats Regulations Assessment should be undertaken to assess the potential impacts of the proposed surface water outfall to the River Eden SSSI and SAC. They also stated that if outline planning permission is granted a further updated ecological survey will be required as the submitted Ecological Appraisal accompanying the application was undertaken in the winter.
- 6.43 A Shadow Habitats Regulations Assessment has subsequently been undertaken for the proposed residential development and installation of surface water outflow which concludes that the development will not have a significant impact on the special interests of the European protected site subject to a extensive number of mitigation measures as outlined in the Assessment, including a Construction Environmental Management Plan for construction activity along with fencing of the ditch and sensitive lighting, a Land users Pack given out to all owners/tenants if approved giving details of sensitivity of River Eden.
- 6.44 Natural England (NE) has been consulted on the Shadow Habitats Regulations Assessment and has raised no objections to subject to the following measures to protect the River Eden & Tributaries SSSI and River Eden SAC - namely a Construction Environmental Management Plan to include mitigation measures that will be put in place during the construction of the surface water outfall, and, an Invasive's Species Management Plan for the control of Himalayan Balsam. Natural England have also reiterated their

comments regarding an updated ecology report with a 10% net gain for biodiversity based on the proposal results. They have also confirmed that the two trees to be removed have a high bat roost potential therefore a bat inspection survey will be required prior to any works to the trees. In terms of the trees to be removed Members should be aware that the indicative landscape plan only shows one tree to be removed (a category U tree positioned within the landscape belt to the south of the site) however the acceptability of this removal will be dealt with at the reserved matters stage as landscaping is a reserved matter. The other tree, a lime tree, referenced by NE was removed from the site prior to the application being submitted.

- 6.45 The City Council has a duty to have regard to conserving biodiversity as part of the decision making process. The relevant statutory consultees have raised no objection to the principle of development subject to the use of appropriate mitigation measures which can be achieved by pre-commencement conditions which should ensure that there is no impact on turbidity, siltation or toxicity/ pollution on the River Eden & Tributaries SSSI. In such circumstances it is not anticipated that the proposed development would have an adverse impact on biodiversity, including the interest features of the River Eden & Tributaries SSSI/ SAC.

11. Impact Upon Wetheral Conservation Area

- 6.46 As previously stated within this report Wetheral Conservation Area boundary lies adjacent to part of the northern boundary of the site where the proposed residential development is to be located. The impact on the setting of Wetheral Conservation Area has already been assessed under the local plans procedure when the site was allocated for housing development where it was stated that the conservation area at this point has a range of designs and sizes of two storey properties, finished in stone, render and brick in a compact layout. New development will be expected to harmonise with the local context both within and adjacent to the CA.
- 6.47 The layout and design of the dwellings are reserved for subsequent approval and do not form part of this application. The impact upon the setting of Wetheral Conservation Area from the housing development will therefore be assessed under a relevant Reserved Matters application.
- 6.48 The parcel of land adjacent to the River Eden which also forms part of the application site is wholly situated within Wetheral Conservation Area. As also previously discussed within this report the indicative plans illustrate that a surface drainage outfall, and relevant enabling works to facilitate this, could be located within this area to deal with surface water discharge from this site. As confirmed the drainage proposals submitted are not the finalised drainage designs for the site. The finalised drainage details can be dealt with via relevant pre-commencement planning conditions. Any enabling works to facilitate the drainage scheme in this location does have the potential to impact upon the setting of Wetheral Conservation Area therefore it is suggested that Members include a relevant condition within the decision notice, should they grant planning approval, requesting full details of any enabling works to facilitate any drainage proposals prior to the

commencement of any development in order to enable a full assessment of these works on the setting of Wetheral Conservation Area.

12. Impact Upon Heritage Assets

- 6.49 The Grade I listed Wetheral Priory and Gatehouse lies 250 metres to the east of the site. There are also two scheduled ancient monuments within the Wetheral Abbey Farm cluster. To the north of the site there are two Grade II Listed Buildings 'Green Farm' and 'Greystones' which are located 66 metres and 80 metres respectively from the site. It is noted that there are intervening dwellings between the application site and 'Greystones'. There are also listed buildings further along the road of the strip of land also included within the red line boundary adjacent to the River Bank as described in paragraph 3.4 of this report.
- 6.50 The impact on the setting of Listed Buildings has already been assessed under the local plans procedure when the site was allocated for housing development where it was stated, in respect of the Grade I listed Priory and Gatehouse and ancient monuments at Wetheral Abbey Farm, that the land rises steeply to the west of the listed building blocking views of the heritage asset from the wider landscape. The roofs of the westernmost houses on The Glebe are only just visible. It is unlikely that development of the proposed site would adversely impact the character and setting of the listed building.
- 6.51 The layout and design of the dwellings are reserved for subsequent approval and do not form part of this application. The drainage plans are also just indicative showing one way the site could be developed. The impact upon the setting of nearby listed buildings from the development will therefore be assessed in further detail under a relevant Reserved Matters application.

13. Other Matters

- 6.52 A condition has been added to the permission which requires each dwelling to be provided with a separate 32Amp single phase electrical supply. This would allow future occupiers to incorporate an individual electric car charging point for the property.
- 6.53 Article 8 and Article 1 Protocol 1 of the Human Rights Act are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Conclusion

- 6.54 The principle of the allocated site for housing has already been assessed and established as acceptable under the local plan allocation and adoption process. The parcel of land subject of this application which is unallocated is located to the immediate south of housing allocation R19 to the east of Wetheral Community Centre. A buffer of trees surrounds the south and eastern boundaries of the land which provides a natural containment. It is

therefore considered that the additional parcel of land proposed for housing is physically connected to the village and housing allocation R19. Consequently the proposal would not lead to an unacceptable intrusion into the open countryside. As the additional land is considered to be well integrated with the existing village (which contains a range of services) the development site is considered to be within a sustainable location which will help to maintain the vitality of the rural community within the settlement where the housing is proposed. The additional land will not prejudice the delivery of the spatial strategy of the local plan and the principle of housing on this additional land is therefore considered policy compliant.

- 6.55 Access, landscaping together with scale, layout and design of the development and the subsequent impact of the proposal on the living conditions of the occupiers of neighbouring properties, Listed Buildings, and, the setting of Wetheral Conservation Area would be determined at the Reserved Matters stage. Subject to the proposed conditions and a S106 agreement it is considered that the proposal would not raise any issues with regard to highway safety, foul and surface water drainage, biodiversity, existing trees, education, affordable housing or open space. The proposal is, therefore, recommended for approval subject to the completion of a S106 Agreement.
- 6.56 If Members are minded to grant planning approval it is requested that “authority to issue” the approval is given subject to the completion of a S106 agreement to secure:
- a) the provision of 30% of the units as affordable;
 - b) a financial contribution of £5,500 towards traffic calming measures;
 - c) a financial contribution of £233,660 to be paid to Cumbria County Council towards the provision of primary school places;
 - d) a financial contribution of £142,500 to be paid to Cumbria County Council towards primary school transport;
 - e) a financial contribution of £151,134 to be paid to Cumbria County Council towards the provision of secondary school places;
 - f) a financial contribution of £10,020 to be paid to Cumbria County Council towards secondary school transport;
 - g) the maintenance of the open space within the site by the developer;
 - h) financial contributions of £26,000 towards the upgrading and maintenance of off-site open space, £20,000 towards the maintenance of off-site play facilities, and £6,500 towards the maintenance of off-site sports pitches.
- 6.57 If the Legal Agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

7. Planning History

- 7.1 In 2016 Full Planning Permission was granted for construction of temporary car park in field adjoining community hall (reference 16/0255).

8. Recommendation: Grant Subject to S106 Agreement

1. Any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years from 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 layout, scale, appearance, access, and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority. The development shall be undertaken in strict accordance with the details approved in response to this condition.

Reason: To accord with the provisions of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, because this is outline permission only and these matters have been reserved for the subsequent approval of the local planning authority.

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

1. the submitted Planning Application Form received 29th June 2021;
2. the Site Location Plan received 29th June 2021 (Drawing No.19046-01B);
3. the Planning Statement received 29th June 2021;
4. the Heritage Statement received 29th June 2021;
5. the Transport Statement Version 1 received 29th June 2021 (Reference MHC/1960/TS);
6. the Tree Survey Report received 29th June 2021 (Dated December 2019 Rev A 020120);
7. the Outline Landscape and Visual Impact Appraisal received 29th June 2021 (Dated December 2019);
8. the Flood Risk Assessment & Drainage Strategy received 29th June

2021 (Issue 2 - 03 September 2020);

9. the Design and Access Statement received 29th June 2021;
10. the Ecological Consultants received 29th June 2021;
11. the Archaeological Desk-Based Assessment and Geophysical Survey received 29th June 2021;
12. the Ground Investigation Interpretive Report received 29th June 2021 (Drawing No.2720);
13. the Shadow Habitat Regulations Assessment received 8th October 2021;
14. the Surface Water Data Sheet received 8th October 2021;
15. the Notice of Decision; and
16. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. 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 shall be submitted to and approved in writing by the local planning authority before development commences. The development shall be undertaken in strict accordance with the details approved in response to this condition.

Reason: In order that the approved development responds to planning issues associated with the topography of the area, preserves amenity and reduces flood risk, in accordance with Policies SP6 and CC4 of the Carlisle District Local Plan 2015-2030.

5. Prior to their use as part of the development hereby approved, full details of all materials to be used on the exterior of the buildings, including roofs, walls, cladding, doors, windows, external frames and rainwater goods shall be submitted to and approved in writing by the local planning authority. The development shall then be undertaken in strict accordance with the approved details.

Reason: To ensure the development is acceptable visually and harmonises with existing development, in accordance with Policies SP6, HO1 and HO2 of the Carlisle District Local Plan 2015-2030.

6. Details shall be submitted of the proposed hard surface finishes to all public and private external areas within the proposed application site (including phasing/delivery) and approved in writing by the local planning authority before their use as part of the development hereby approved. The approved

development shall be carried out in strict accordance with the details approved in response to this condition.

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

7. Notwithstanding any details shown on the approved drawings, all boundary fences, walls, screens or other means of enclosure shall only be installed or erected in strict accordance with a scheme that shall first have been submitted to and approved in writing by the local planning authority, which shall include:

- precise details of the item(s) including materials, location and height
- timescale for implementation
- any maintenance proposals identified as necessary within the first 5 years following provision

Reason: To ensure that the appearance of the development will be in keeping with the locality and to protect visual amenity, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

8. A landscaping scheme shall be implemented in strict accordance with a detailed proposal that has first been submitted to and approved in writing by the local planning authority. The scheme shall include details of the following where relevant (this list is not exhaustive):

- new areas of trees and shrubs to be planted including planting densities
- new groups and individual specimen trees and shrubs to be planted
- specification/age/heights of trees and shrubs to be planted
- existing trees and shrubs to be retained or removed
- any tree surgery/management works proposed in relation to retained trees and shrubs
- any remodelling of ground to facilitate the planting
- timing of the landscaping in terms of the phasing of the development
- protection, maintenance and aftercare measures

Reason: To ensure that a satisfactory landscaping scheme is implemented, in the interests of public and environmental amenity, in accordance with Policies SP6 and GI 6 of the Carlisle District Local Plan 2015-2030.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within a timeframe that has first been submitted to and approved in writing by the local planning authority and maintained thereafter in accordance with maintenance measures identified in the approved landscaping scheme. 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 maintained, in the interests of public and environmental amenity, in accordance with Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

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

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies SP6 and GI of the Carlisle District Local Plan 2015-2030.

11. No work associated with the construction of the development hereby approved shall be carried out before 07.30 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 CM5 of the Carlisle District Local Plan 2015-2030.

12. As part of the development hereby approved, adequate 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 establish an acceptable level of access to connectivity

resources, in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

13. Prior to the occupation of any dwelling, a 32Amp single phase electrical supply shall be installed to allow future occupiers to incorporate an individual electric car charging point for the property. The approved works for any dwelling shall be implemented on site before that unit is first brought into use and retained thereafter for the lifetime of the development.

Reason: To ensure the provision of electric vehicle charging points for each dwelling, in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

14. 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.

Site investigations should follow the guidance in BS10175.

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.

15. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

16. 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 to safeguard against pollution of surrounding watercourses and drainage systems.

17. No development shall commence until details of the future maintenance and operation of the surface water systems are agreed in writing with the local planning authority.

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

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

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

The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated September 2020 proposing surface water discharging into the River Eden.

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

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

19. 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.

20. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;

- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian); and
- surface water management details during the construction phase.

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety. To support Local Transport Plan Policies: WS3, LD4.

21. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for staff and visitors, 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 and LD8.

22. 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 the 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 and LD8.

23. Footways shall be provided that link continuously and conveniently to the nearest existing footway. Pedestrian links within and to and from the site shall be provided that is convenient to use.

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

24. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory

- undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

25. Any reserved matters/full planning application for the site shall be accompanied by a further updated ecology report undertaken by an appropriately qualified person within the appropriate season.

Reason: In order to ensure no adverse impact on European and nationally protected species in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

26. No development shall commence until full details of the wildlife enhancement measures to be undertaken at the site (together with the timing of these works) have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the agreed details.

Reason: In order to enhance the habitat for wildlife in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

27. Prior to the occupation of each dwelling hereby permitted suitable receptacles shall be provided for the collection of waste and recycling in line with the schemes available in the Carlisle District.

Reason: In accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

28. Prior to the commencement of development, the applicant shall submit a Construction Environmental Management Plan (CEMP) which shall also include any mitigation measures that will be put in place during the construction of any surface water outfalls, and, an Invasives Species Management Plan for the control of Himalayan Balsam for approval in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the details contained within the CEMP.

Reason: In order to protect the River Eden SAC/SSSI in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

29. Prior to any removal of trees as part of any approved landscaping scheme a bat presence/ absence survey shall be undertaken and submitted to and

approved in writing by the Local Planning Authority. The survey shall provide information on the presence or likely absence of bats, a final assessment on bat status as well as any appropriate methodology/ mitigation measures (if required) to avoid any risk of harm/ significant disturbance together with the timing of such works.

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

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.

30. No development shall commence (including any works on the parcel of land adjacent to the River Eden outlined in red on Drawing No. 19046-01B) until a localised otter survey has been undertaken and submitted to and approved in writing by the Local Planning Authority. The survey shall provide information on the presence or likely absence of otters, a final assessment on otter status as well as any appropriate methodology/ mitigation measures (if required) to avoid any risk of harm/ significant disturbance together with the timing of such works.

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

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.

31. The development permitted by this planning permission shall be carried out in accordance with the mitigation measures outlined in section 7 of the Ecological Appraisal undertaken by Envirotech received 29th June 2021 and the mitigation measures outlined in section 6 the Shadow Habitats Regulations Assessment undertaken by Envirotech received 8th October 2021.

Reason: To protect the biodiversity and water quality of the River Eden SAC/SSSI and in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.



PLANNING

ARCHITECTS
PLUS

Project
**PROPOSED RESIDENTIAL DEVELOPMENT
ABBEYFIELDS, WETHERAL**

Client
SIMTOR LIMITED

Drawing
SITE LOCATION PLAN

Scale Date Drawn Comp.No. Number
1:2500 02/20 BG P02 19046-01B



