

DELEGATED REPORT

Application Reference:	20/0431
Description of Development :	<p>Application seeks approval for the following reserved matters, further to original outline planning approval, as granted under application Ref No 16/0682.</p> <p>Application 16/0682, secured outline approval for residential development on the application site, with all matters reserved for future consideration. The approved application was the subject of a signed and agreed Section 106 Agreement.</p> <p>The reserved matters details for which approval is being sought are as follows :</p> <ul style="list-style-type: none"> - Access - Appearance - Landscaping - Layout and - Scale <p>The application is therefore accompanied by the following details and information :</p> <ul style="list-style-type: none"> - Topographical Survey ps 1299.01a - Proposed Site Plan ps 1299.02a - House Type 1 plans and elevations ps1299/03a - House Type 2 plans and elevations ps 1299/04a - House Type 3 plans and elevations ps 1299/05a - Proposed Site access P002 - Swept Path Analysis TR01.
Case Officer :	D Cox
Appraisal :	
Site :	Land behind Tanglewood, High Street, Morland.
Proposal :	<p>Application for approval of specified reserved matters following outline approval for the principle of residential development on land behind Tanglewood, High Street, Morland.</p> <p>The original outline approval, to which this specified reserved matter application both relates and refers, was granted under relevant application Ref No 16/0682, as approved with conditions on the 14th July 2017.</p>
Relevant Site History :	<p>12/0018 – Outline application for residential development – Withdrawn.</p> <p>16/0682 - Outline planning application for residential development with all matters reserved – Approved with conditions – 14th July 2017.</p>
Policy :	<p>Eden Local Plan 2014-32 :</p> <ul style="list-style-type: none"> • Policy DEV1 “General Approach to New Development”

	<ul style="list-style-type: none"> • Policy DEV2 “Water Management and Flood Risk” • Policy DEV3 “Transport, Accessibility and Flood Risk” • Policy DEV4 “Infrastructure and Implementation” • Policy DEV5 “Design of New Development” • Policy HS2 “Housing in the Smaller Villages and Hamlets” • Policy ENV2 “Protection and Enhancements of Landscapes and Trees” <p>Supplementary Planning Documents :</p> <ul style="list-style-type: none"> • “Housing” (2010 & 2020) <p>National Planning Policy Framework (NPPF) :</p> <ul style="list-style-type: none"> • Requiring good design • Conserving and enhancing the natural environment <p>National Planning Practice Guidance (NPPG) :</p>
<p>STATUTORY CONSULTATION RESPONSES :</p>	
<p>Local Highway and Lead Local Flood Authority</p>	<p>Cumbria County Council as the Highways Authority and the Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed in the attached letter detailed below :</p> <p>Local Highways Authority comments :</p> <p>I note the site history with previous application 16/0682 and 12/0018, our previous recommendations remain.</p> <p>The following condition in terms of highway related issues should be applied to any permission granted :</p> <p>The Shared Access Way shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect full engineering details shall be submitted for approval before work commences on site and until a full specification has been approved.</p> <p>These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is regarded as complete.</p> <p>Note: Condition to be used where Estate Roads are to become adopted highways under a Section 38 agreement with highways authority.</p> <p>Reason : To ensure a minimum standard of construction in the interests of highway safety.</p> <p>To support Local Transport Plan Policies: LD5, LD7, LD8 The accesses and parking areas etc shall be designed, constructed and drained to the satisfaction of the Local Planning</p>

Authority and in this respect full engineering details, shall be submitted for approval before work commences on site. No work shall be commenced until a full specification has been approved. Note Condition to be used where access to developments is to remain private and not become Highway.

Reason : To ensure a minimum standard of construction in the interests of highway safety.

To support Local Transport Plan Policies: LD5, LD7, LD8

Ramps shall be provided in the footway opposite the junction, to enable wheelchairs, pushchairs etc. to be safely manoeuvred at the kerb line; and be constructed as part of the development.

Reason : To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety.

To support Local Transport Plan Policies: LD5, LD7, LD8 and Structure Plan Policy L5.

No dwelling shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason : To ensure a minimum standard of access provision when the development is brought into use.

To support Local Transport Plan Policies: LD5, LD7, LD8

The access and parking/turning requirements, shown on the Plan, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway. Once complete they shall be retained capable of use thereafter and shall not be altered without the prior consent of the Local Planning Authority.

Reason : The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues.

To support Local Transport Policies: LD5, 7 & 8.

Lead Local Flood Authority (LLFA)

The site of the proposed development is indicated on the Environment Agency mapping to be at low risk of flooding, however, informal reports have suggested that runoff from the site can cause an inconvenience for downstream residents. However it is considered that the development of this site if designed correctly could help to reduce the localised issues.

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

	<p>shall be managed and maintained 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 Drainage Strategy and report dated 15th January 2015 proposing surface water discharging to Morland Beck. The development shall be completed, maintained and managed in accordance with the approved details.</p> <p>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.</p> <p>No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.</p> <p>Reason : To safeguard against flooding to surrounding sites and to safeguard against pollution of watercourses downstream of the site.</p> <p>No development shall commence until the appropriate Flood Defence consent or permit has been granted for the proposed changes to watercourse for the discharge to Morland Beck.</p> <p>Reason : To protect and enhance the natural environment surrounding the watercourse.</p>
DISCRETIONARY CONSULTATION RESPONSES	
Parish Council	<p>These (Parish) comments below are reiterated from the earlier planning application made regarding this site and still need consideration.</p> <p>ATTENUATED SURFACE WATER SYSTEM & GREY WATER RECYCLING Whilst this system may be used for 7 of the 9 proposed properties, the 2 lowest properties in terms of elevation will not have access to this system. The proposal for these properties is a grey water recycling option. Details should be provided on how this water will be stored and where any over flow will be directed. Saturation of the ground will cause water to run off directly to the properties on Water Street. This should be actioned and a revised Outline Planning Application submitted on the outcome.</p> <p>DISCHARGE PIPES WILL TRAVERSE LAND UNDER DIFFERENT OWNERSHIP TO APPLICANT.</p>

	<p>It has been assumed in the Discharge Pipes will pass through the land under different ownership. No approach has been made to these property owners.</p> <p>SURFACE WATER OUT FALL INTO MORLAND BECK It has been assumed in the Surface Water Outfall Pipes will pass through the land under different ownership. No approach has been made to these property owners.</p> <p>It is also assumed that Morland Beck can cope with an increase of flow, however in recent years in times of heavy rainfall this is not the case and the Beck has flooded many times and severe damage to the infrastructure running alongside the beck.</p> <p>FOUL DISCHARGE WOULD CONNECT TO THE EXISTING PUBLIC SYSTEM IN WATER STREET It has been assumed that the Foul Discharge Outfall Pipes will pass through the land under different ownership. No approach has been made to these property owners. It is also assumed that the existing public system can cope with an increase of flow.</p> <p>Due to the extreme gradient of the site this standard drainage system most likely will not sufficient for the speed and volume in which the water runs off not only this site but also from the village above. Careful consideration should be given to this as it will have a serious adverse effect on the home below the site. The discharge pipes should be enlarged to a minimum of nine inches to help cope with the sudden and heavy downpours of rain. Also a second power source should be considered as at the times that the system is in most need are also the times when power failures are most likely.</p> <p>We would also like to stress the fact the it has been presumed that land under different ownership will be accessible, in fact none of the households have been consulted or asked about access and without an agreement in principle in place there would seem little point progressing the planning application.</p> <p>ACCESS A new property has been built and this dramatically alters the access and the splay distances.</p>
Arboriculturalist	<p>The following comments received :</p> <p>“The proposed landscaping looks fine and whilst the Root Protection Zone is not the 15m required by the condition it should be sufficient for the tree to be relatively unaffected by the development. I have marked up a section of the plan and put a copy in the Officer Information folder showing where I think the protective fencing should go.</p> <p>The fencing/barrier will need to be installed prior to any construction activity and stay in place undisturbed until construction is completed, it will also need to be in accordance with the specification set out in BS5837 section 6.2.2.”</p>

NOTIFICATION RESPONSES

Application advertised by way of immediate neighbour notification letter and site notice posted.

Three letters/emails of response have been received, including one of objection, and which are reported as follows :

1) Disturbance - There would be unacceptable intrusion in the form of noise nuisance.

Road Safety - The development may lead to a significant impact upon road safety near the school.

2) We would like make comments on the proposed access regarding the above application-

a) the access appears to be based on the Highways survey done in 2012 for planning application 12/0018 & doesn't take into account a new dwelling that has been built on land to the north of the proposed access.

b) the visibility to 1m out from tangent & visibility to the south 2x37m is obstructed by the hedge at the front of Tanglewood (dwelling to the south)

c) there are two large electric poles housing a transformer, at the site entrance, which obstruct the view and are not mentioned on the plans.

d) there's no mention of pedestrians and their safety especially children walking to and from school.

In conclusion would it not be advisable for the planning department and Highways, in the interests of safety, to do a further survey & or site visit to reassess the proposed access.

3)The plan showing the splay to the entrance appears to misrepresent the width of the verge suggesting that the splay cannot be installed as shown. On one side of the splay is a tall hedge which restricts the view towards Newby whilst on the other side there is a high wall which restricts views towards the village and emerging vehicle would need to enter onto the road to gain a view in either direction.

No requests for the application to be heard at Committee have been received.

OBSERVATIONS

Main Issues :

Appraisal :

Principle

The current submission and application seeks approval for certain stated, but not all of the outstanding reserved matters and conditions which together were the subject of consideration under the relevant original and extant outline planning approval granted under application Ref No 16/0682. The principle for residential development on the site has been and remains accepted in the light of the above consideration.

Certain of the concerns identified and objections received relate to matters of drainage and such associated service provision. These were predominantly the concern of conditions 12-16 as

attached to the outline approval granted under application 16/0682. This current application (20/0431) is for the approval of details submitted as 'discharge of condition' application(s).

The original outline application, granted under 16/0682, was also agreed subject to the agreement and signing of the relevant Section 106 agreement, requiring the payment of a commuted sum involving 12% of the GDV for the development sought and the Council's reasonable costs being paid in relation to that Section 106 Agreement and which as signed still applies and remains in place.

The current submission therefore seeks to secure relevant approval for, and in relation to the following reserved matters :

- Access
- Appearance
- Landscaping
- Layout and
- Scale

And despite the broader nature of some of the concerns identified and objections raised and received, it is solely in relation to the above that the matters that present application and details as submitted are to be considered.

The reserved matters and details as submitted are to be considered in the light of the adopted Eden Local Plan 2014-32 and the aims and criteria concerns of relevant adopted Plan Policies referred to above, and briefly, as considered relevant in this case, summarised as follows :

- Policy DEV1 "General Approach to New Development", which outlines that " .. planning applications that accord with policies in the adopted Local Plan (and where relevant), with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise."
- Policy DEV3 "Transport, Accessibility and Rights of Way", which addresses the fact that "Development will be refused if it will result in a severe impact in terms of road safety and increased traffic congestion. Development should provide safe and convenient access for pedestrians, cyclists and disabled people.

In addition " .. Proposals will be expected to adhere to guidance and standards issues by the Highways Authority on the number of parking spaces to be provided (including for the disabled and for bicycles."

- Policy DEV5 "Design of New Development", which addresses the design considerations for proposals, requiring that development shall be high quality design reflecting local distinctiveness, avoid overlooking, protect neighbouring amenity and use quality materials.

	<ul style="list-style-type: none"> • Policy HS2 “Housing in the Smaller Villages and Hamlets” which as considered with the original outline submission identified that “Within the Smaller Villages and Hamlets listed in Policy LS1, permission will be given for housing of an appropriate scale, which reflects the built form of adjoining and neighbouring development to the site and the service function of the settlement, (including sub-division of existing housing) where it meets all of the following criteria : <ul style="list-style-type: none"> - Where development is restricted to infilling and rounding off of the current village settlement pattern, in accordance with Policy LS1. - The resultant dwelling does not contain more than 150m2 gross internal floor space. - In the case of Greenfield sites a condition or legal agreement restricting occupancy to only those meeting local connection criteria, defined in Appendix 6, will be applied. <p>And finally, but not least ..</p> <ul style="list-style-type: none"> • Policy ENV2 “Protection and Enhancements of Landscapes and Trees” addresses the need that “New development will only be permitted where it conserves and enhances distinctive elements of landscape character and function. <p>The application is considered against the backdrop of the above policies and material considerations.</p>
Scale & Design including Access	<p>Policy DEV5 “Design of New Development”, which addresses the design considerations for proposals, requiring that development shall be high quality design reflecting local distinctiveness, avoid overlooking, protect neighbouring amenity and use quality materials.</p> <p>Chapter 12 of the NPPF, entitled ‘Achieving well-designed places’ states that, ‘good design is a key aspect of sustainable development’.</p> <p>Paragraph 124 of the NPPF which advises ‘the creation of high quality buildings and places is fundamental to what the planning development process should achieve’. In addition, further consideration is given to paragraph 127 of the NPPF which confirms that ‘Planning Policies and decisions should ensure that developments:</p> <ul style="list-style-type: none"> a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to

create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.

Paragraph 130 says that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’.

Paragraph 131 states that ‘in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings’.

The application site is and remains a linear field positioned between High Street and Water Street and access would be provided off High Street. The site falls towards Water Street and is enclosed by hedgerows and fencing. It is located centrally within the designated Smaller Village and Hamlet of Morland, which set in the shallow valley of the Morland Beck, is characterised by a more traditional core, surrounded by later and more recent C20th residential development, to which this site falls within a transitional zone between the two.

The reserved matters detail submitted, shows layout provision within the site for five detached dwelling (four two storey and one single storey(3 design types) alongside a single spine access road and pavement and turning head, with direct access onto the High Street, for which separate specific visibility splay details are supplied.

The design detail of the dwellings and their proposed cladding materials (a combination of natural stonework, render and natural slate roofs) are standard contemporary in nature, and not untypical of more recent development found close by and within the settlement.

Within the layout as proposed, suitable provision is also made for the retention and protection (root zone) of an existing mature tree, located on the south-eastern boundary of the site.

Though of undoubted charm, especially within its core area, the settlement of Morland otherwise has no specific blanket amenity designation in terms of any designated Conservation Area provision. The scale, detail and layout of the reserved matters sought for this small residential development is considered to

	<p>thereby reasonably comply with the aims and criteria concerns of the relevant adopted Eden Local Plan Policy DEV5.</p> <p>Access provision to and beyond the site, a source of contention to some of the objectors, has been the specific discussion detail between the applicants and the Highway/LLFA Authority, the latter, following consultation having confirmed the following, and that they have no objection to the development as proposed, subject to standard condition. In light of the above, the development as proposed, and relevant reserved matter details submitted, is thereby considered to also reasonably accord with the aims and concerns of relevant adopted Plan Policies DEV3 and DEV4.</p>
<p>Impact on the landscape/amenity of the area</p>	<p>Policy DEV5 as referred to also applies to the landscape and amenity impacts on a proposal and how they can be considered. The policy specifically requires development proposals to 'reflects the existing street scene through use of appropriate scale, mass, form, layout, high quality architectural design and use of materials'.</p> <p>Chapter 12 of the NPPF, also previously referred to, entitled 'Achieving well-designed places' states that, 'good design is a key aspect of sustainable development'. Criterion 'C' of Paragraph 127 states is considered particularly relevant to the considerations of landscape and states, 'are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);</p> <p>The principle of residential development of the site has previously, and remains accepted. As residential development, the proposal represents a continuation of such development within the confines of the built form of the existing settlement, and as such impact will correspondingly reflect that fact, with the site and its degree of existing and to be retained boundary planting ensuring a degree of visibility and thereby "impact" restricted to neighbouring property and perhaps distant appreciation (to and from the east of the village) and from the direction of the Bolton road entrance into the village. Separation and relationship distances are designed to accord with the aims of the "Housing" SPD and guidelines. The proposed development is thereby considered to reasonably accord with the aims and concerns of the relevant adopted Eden Local Plan Policies DEV5, HS2 and ENV2 as well as the NPPF.</p>
<p>Impact on the living conditions/amenity of neighbouring residents</p>	<p>Further to direct consultation, and the placing of site notice, concerns regarding neighbouring amenity have largely been directed towards the issue of access and site drainage. The latter does not form part of the present consideration, as relevant reserved matters have, and are not provided on this occasion. Again, and in terms of access to the site, the issue of access is addressed in the above earlier section and is considered acceptable in the light of direct consultation with the relevant statutory body.</p>

	<p>In the broader sense, and again as considered above, the layout and separation distances, both within and in relation to neighbouring existing residential development are considered to reasonably accord with the aims and criteria concerns of adopted Plan Policy DEV5 and the “Housing” SPD.</p>
<p>Impact on the character and appearance of the built environment (LBs/CA)</p>	<p>Within Policy ENV10 of the Eden Local Plan, it is noted that development should protect and enhance the District’s Heritage Assets, and great weight given to proposals that would result in an enhancement to the historic environment. This is further supported by paragraph 192 of the National Planning Policy Framework which notes that, ‘In determining applications, local planning authorities should take account of:</p> <ul style="list-style-type: none"> a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.’ <p>The site is not located within a designated Conservation Area, nor is it in the setting or curtilage of any Listed Buildings.</p> <p>On this basis the proposal is not, therefore able, to have any significant, detrimental impacts on the historic environment and as such is therefore considered to be compliant with both Policy ENV10 of the Local Plan and the NPPF.</p>
<p>Impact on the natural environment (species/habitats)</p>	<p>Policy ENV1 of the Local Plan, entitled ‘Protection and Enhancement of the Natural Environment, Biodiversity and Geodiversity’ confirms that ‘new development will be required to avoid any net loss of biodiversity, and where possible enhance existing assets. Should emerging proposals identify potential impacts upon designated sites, regard should be given to the objectives for each of the hierarchy of sites’.</p> <p>Section 15 of the National Planning Policy Framework (NPPF) entitled ‘Conserving and enhancing the natural environment’ confirms the national guidance on such matters. Paragraph 170 states that,</p> <p>‘Planning policies and decisions should contribute to and enhance the natural and local environment by :</p> <ul style="list-style-type: none"> a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate’.

Paragraph 175 states, ‘When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity’.

In this instance, it is noted that the application site is not located within a designated landscape nor a site designated by any ecological or habitat designation.

The application and site has been the subject of direct discussion between the applicant and the Council’s own Arboriculturalist. On the basis of detail submitted, there are no objections to the development as proposed, subject to conditions identified by the latter. On this basis, and in light of considerations above, the development proposed is considered again to reasonably comply with the broad aims of this category.

As such the scheme is considered compliant with Policies ENV1 and ENV2 and should be supported.

Drainage	Whilst it is to be noted that the matter of drainage is important, it is not a reserved matter and as such, no consideration of it can be given at this stage.
Conclusion :	<p>The application before the Local Planning Authority, in this case, is the 'reserved matters' and as such only those are considered relevant to the determination of this application.</p> <p>The layout, scale and design of the development are reserved matters and as such have been assessed. The layout is considered acceptable as is the scale, being consistent with that approved at the outline stage. It is noted that the scheme would result in only three house types (two in terms of size). However, this is not considered a reason, in its own right, to refuse this reserved matters application in this particular case.</p> <p>The design proposed by the applicants is considered acceptable with the intent to incorporate render with stone and natural slate into the construction. It is noted that specific details in relation to the exact materials proposed is not confirmed and as such samples of these materials will be required prior to the construction works taking place. Nevertheless, the principle of these materials being used is considered acceptable.</p> <p>Therefore, the proposed development is considered to be in accordance with the development plan which is not outweighed by material considerations and therefore the application is recommended for approval.</p>

RECOMMENDATION :	<p>The application is subject to existing associated Legal Agreement.</p> <p>That the application is granted subject to the following conditions :</p> <p>Time limit for commencement</p> <p>1) The development permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>Approved Plans</p> <p>2) The development hereby granted shall be carried out in accordance with the application form dated 1st July 2020 and the drawings hereby approved :</p> <p>i. Proposed Plans and Elevations, House Type 1, drawing Ref No ps 1299.03a 30-60-20 as dated received by the Local Planning Authority on the 1st July 2020.</p>
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- ii. Proposed Plans and Elevations, House Type 2, drawing Ref No ps 1299.04a 30-60-20 as dated received by the Local Planning Authority on the 1st July 2020.
- iii. Proposed Plans and Elevations, House Type 3, drawing Ref No ps 1299.03a 30-60-20 as dated received by the Local Planning Authority on the 1st July 2020.
- iv. Proposed Site Access drawing Ref No P002 30-60-20, as dated received by the Local Planning Authority on the 1st July 2020.
- v. Proposed Site Access drawing Ref No TR01 30-60-20, as dated received by the Local Planning Authority on the 1st July 2020.
- vi. Proposed Site Layout drawing Ref No ps 1299.01a 30-60-20, as dated received by the Local Planning Authority on the 1st July 2020.

Reason : To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

Before the development is commenced

- 3) Prior to the commencement of the development of any of the hereby approved dwellings, samples of external finishes for walls, roofs, windows, doors and hard surfaces shall be submitted to the Local Planning Authority for written approval. Once approved, these materials shall be utilised in the construction of the site.

Reason : In the interests of the character and amenity of the area.

- 4) The Shared Access Way shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect full engineering details shall be submitted for approval before work commences on site and until a full specification has been approved.

These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is regarded as complete.

Reason : To ensure a minimum standard of construction in the interests of highway safety.

- 5) No dwelling shall be occupied until the vehicular access and parking requirements have been constructed in accordance with the approved plan and brought into use. These facilities shall be retained and capable of use at all times thereafter and shall not be removed or altered.

	<p>Reason : To ensure a minimum standard of access provision when the development is brought into use.</p> <p>6) The access and parking/turning requirements, shown on the Plan, shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway. Once complete they shall be retained capable of use thereafter and shall not be altered.</p> <p>Reason : The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues.</p> <p>7) The fencing/barrier (protecting the tree) will need to be installed prior to any construction activity and stay in place undisturbed until construction is completed, and will also need to be in accordance with the specification set out in BS5837 section 6.2.2.</p> <p>Reason : In the interests of protecting the sites amenity.</p>
<p>Note to developer :</p>	<p>The reserved matter application is subject to associated outline approval, as granted under application Ref No 16/0682 and pre-existing Section 106 Legal Agreement requiring the payment of a commuted sum involving 12% of the GDV for the development sought and the Council's reasonable costs being paid in relation to that Section 106 Agreement, and subject to the above conditions. This decision notice grants planning permission only. It does not override any existing legal agreement, covenant or ownership arrangement.</p> <p>It is the applicant's responsibility to ensure all necessary agreements are in place prior to the commencement of development.</p> <p>The applicant/developer should be aware of all extant conditions requiring formal approval attached to the outline planning permission ref. 16/0682 and that a subsequent application will need to be submitted to the Local Planning Authority to ensure that the requirements of all those conditions are met prior to either commencement of the development and/or prior to occupation of any subsequently constructed dwellings.</p> <p>Should any unexpected ground conditions, which could indicate the presence of land contamination (for example unusual colours, odours, liquids or waste materials) be encountered during the development, the Environmental Protection Team should be notified immediately.</p> <p>The level of cover to the water mains and sewers must not be compromised either during or after construction.</p>

	<p>Two 11Kv lines cross the proposed development area and a HV pole is located within the development with an associated pole mounted transformer and multiple LV cables which supply a number of properties in the local area. Such equipment may require diverting for the development to proceed which is usually at the cost of the applicant therefore it is recommended that Electricity North West diversions team are contacted to discuss the implications of this development. The applicant is advised that great care should be taken at all times to protect both the electrical apparatus on site and any personnel working in its vicinity.</p> <p>A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.</p> <p>The applicant/developer is advised that appropriate Flood Defence consent or permit should be secured for any proposed changes to watercourse for the discharge to Morland Beck.</p>
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