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| Application Reference Number: | 4/24/2085/0B1 |
| Application Type: | Full Planning Application |
| Application Address: | Land to the West of Valley View Road, Whitehaven. |
| Proposal | Full Planning Application for 107 dwelling houses and associated infrastructure including landscaping, open space, access, highway and drainage - Variation of drainage scheme, detached garage design and landscaping scheme approved under application ref. 4/22/2332/0F1. |
| Applicant | Story Homes Limited |
| Agent | - |
| Valid Date | 13 th March 2024 |
| Case Officer | Chris Harrison |

Cumberland Area and Region

Copeland and Whitehaven

Relevant Development Plan

Copeland Local Plan 2013-2028 (Adopted December 2013).
Emerging Copeland Local Plan 2017-2038.

Reason for Determination by the Planning Committee

The Application Site exceeds 2 hectares in area and exceeds 100 dwellings; therefore, it falls within the definition of a strategic planning application for the purposes of the Cumberland Council Planning Scheme of Delegation.

Whilst the proposed development relates to minor variations to the drainage scheme, detached garage design and landscaping scheme approved under application ref. 4/22/2332/0F1 only, the provisions of the Cumberland Council Planning Scheme of Delegation do not permit for determination under delegated powers.

Recommendation:

Members authorise delegated authority to the Assistant Director of Thriving Place and Investment to approve planning permission for the development subject to:

- the Applicant entering into a Deed of Variation of the Section 106 Planning Obligation entered as part of application ref. 4/22/2332/0F1 to secure:
 - I. the delivery of the required 10no. affordable dwellings;

- II. the maintenance and management of the proposed public open space;
 - III. a travel plan monitoring fee of £6,600;
 - IV. an education contribution of £199,122; and,
 - V. a financial contribution of £8000 to cover the Traffic Regulation Order for the extension of the 30mph speed limit on High Road.
- the planning conditions outlined in Appendix 1 of this report; and
 - any amendments as deemed acceptable by the Assistant Director of Thriving Place and Investment.

1. Site and Location

- 1.1 The Application Site comprises a parcel of agricultural grazing land located on the southern periphery of Whitehaven.
- 1.2 The gross area of the Application Site measures 15.37 acres with a net developable area of 8.1 acres.
- 1.3 The Application Site is bounded by the approved Edgehill Park residential development, which is currently under construction and an existing detached dwelling known as High House to the west; the existing housing estate known as Greenbank to the east; the existing housing estate known as Wastwater Road to the north; and existing surface water infrastructure and agricultural land and planting to the south.
- 1.4 Public Right of Way, footpath no. 431031 runs through the centre of the Application Site and connects Edgehill Park and Greenbank.
- 1.5 The Application Site is enclosed by a combination of timber fencing and vegetation.
- 1.6 There are no conservation areas or listed buildings on or directly adjacent to the Application Site.
- 1.7 The Application Site is located in Flood Zone 1.

2. Directly Relevant Planning History

App. Ref. 4/22/2217/0F1 - Importation and deposit of earth material to reprofile existing ground levels/contours; installation of surface water drainage infrastructure including installation of foul water drainage infrastructure - Land to the West of Valley View Road, Whitehaven – Approved subject to planning conditions.

App. Ref. 4/22/2332/0F1 - Full Planning Application for 107 dwelling houses and associated infrastructure including landscaping, open space, access, highway and drainage – Approved subject to planning conditions and Section 106 Planning Obligation.

App. Ref. 4/24/2020/DOC - Discharge of conditions 3, 4, 6, 8, 9, 10, 14 and 15 of planning application 4/22/2332/0F1.

3. Proposal

- 3.1 The development approved under app. ref. 4/22/2332/0F1 comprised 107no. dwellings and associated infrastructure including landscaping, open space, access, highway and drainage.
- 3.2 The current application seeks the following revisions to the development approved under app. ref. 4/22/2332/0F1:

- Revise the design of the detached single garages proposed on Plots 68,69 and 88.

The revised garage design reduces the length of the garages from 7.5m to 6.5m.

The revised garage designs are sought to align the designs with the new standard garage design introduced companywide by Story Homes.

- Amend the design of the proposed surface water drainage scheme including revisions to the design of the cascading swale and revisions to the design of the surface water attenuation basin.

The design changes are sought following the receipt of technical approval from United Utilities relating to the adoption of the proposed surface water drainage system.

The amendments seek to improve erosion control over the lifetime of the development.

The width and gradient of the cascading swale have been increased. Further gabion baskets have been added to slow the speed of the water as it moves through the swale, concrete pitching has been added to improve erosion control. A spill way has been formed at the base of the cascading swale and entrance to the surface water attenuation pond to protect the entrance to the surface water attenuation pond. The surface water attenuation pond has been reshaped to prevent washout at the peripheries.

The drainage to the south remains unchanged.

- The design of the proposed landscaping scheme has been amended in response to the revisions to the design of the proposed surface water drainage scheme.
- 3.3. No other revisions are proposed to the scale, layout, appearance and access of the development as approved under app. ref. 4/22/2332/0F1.

4. Consultations and Representations

Whitehaven Town Council

No objections or comments.

United Utilities

No objection.

Environment Agency

The previous use of the Application Site presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location being a Highly Vulnerable Secondary A aquifer.

The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development; however, further detailed information will be required before built development is undertaken. It would place an unreasonable burden on the Applicant to request more detailed information prior to the granting of planning permission.

The proposed development is therefore acceptable subject to the imposition of a planning condition requiring the submission of a remediation strategy. Without this condition it would not be possible to guarantee that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Advice is provided in relation to application of the CL:AIRE Definition of Waste Code of Practice (DoW CoP) and the relevant testing and licensing requirements for the reuse materials on the Application Site.

The Coal Authority

The Coal Authority has no objections to this planning application and Condition 5 of app. ref. 4/22/2332/0F1 is required to be duplicated on any reissued consent.

Cumberland Council - Highways

Garage amendments - No objection.

Cumberland Council - LLFA

Amendments to swale design - The revisions to the design are proposed to deliver a more robust design that will have a less onerous maintenance regime in line with the requirements of United Utilities who are the adopting body for this drainage feature.

The previously agreed volume and controlled discharge rate, treatment, attenuation and final receptor have not changed.

The LLFA has no objection to the variations as it bolsters the existing design and makes it more resilient.

Cumberland Council - Environmental Health

No comments and no objections.

Cumberland Council – Countryside Access Officer

No comments received.

Representations

The application has been advertised by way of site notices, a press notice and notification letters issued to neighbouring dwellings.

One representation has been received in objection.

The material planning issues raised comprise the following:

The estate currently only has one access / egress, more cars and traffic poses more of a risk to children already living on the estate.

Story Homes have ignored complaints for over 6 years. Additional access / egress is required along with speed bumps / traffic calming.

Previous responses from Story Homes is that it is the driver's responsibility, but I blame a poor design.

Cumberland Council Highways have also been challenged on this numerous times, but as the roads have not been adopted they cannot do anything.

5. Planning Policy

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013-2028 (Adopted December 2013):

Core Strategy (CS):

Policy ST1 – Strategic Development Principles
Policy ST2 – Spatial Development Strategy
Policy ST4 – Providing Infrastructure
Policy ER7 – Principal Town Centres, Local Centres and other service areas: Roles and Functions
Policy SS1 – Improving the Housing Offer
Policy SS2 – Sustainable Housing Growth
Policy SS3 – Housing Needs, Mix and Affordability
Policy SS5 – Provision and Access to Open Space and Green Infrastructure
Policy T1 – Improving Accessibility and Transport
Policy ENV1 – Flood Risk and Risk Management
Policy ENV3 – Biodiversity and Geodiversity
Policy ENV4 – Heritage Assets
Policy ENV5 – Protecting and Enhancing the Boroughs Landscapes

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place
Policy DM11 – Sustainable Development Standards
Policy DM12 – Standards for New Residential Development
Policy DM21 – Protecting Community Facilities
Policy DM22 – Accessible Developments
Policy DM24 – Development Proposals and Flood
Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species
Policy DM26 - Landscaping
Policy DM27 – Built Heritage and Archaeology
Policy DM28 – Protection of Trees

Copeland Local Plan 2001-2016 (LP) Saved Policies:

Policy HSG2 – New Housing Allocations
Policy TSP8 – Parking Requirements

6. Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).
National Design Guide (NDG).
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG).
Copeland Local Plan 2013-2028: Site Allocations and Policies Plan (SAPP).
Copeland Borough Council Housing Strategy 2018-2023 (CBCHS).

7. Assessment

Principle of Development

- 7.1 Full Planning Permission was approved under app. ref. 4/22/2332/0F1.
- 7.2 The pre-commencement planning conditions imposed on app. ref. 4/22/2332/0F1 have been approved.
- 7.3 App. ref. 4/22/2332/0F1 remains extant and lawfully capable of implementation.
- 7.4 App. ref. 4/22/2332/0F1 comprises a fallback position for the applicant and therefore establishes the principle of the development and is a material planning consideration.
- 7.5 The proposed revisions to the development approved under app. ref. 4/22/2332/0F1 are limited in scope to the design of the detached single garages proposed on Plots 68,69 and 88; the design of the proposed surface water drainage scheme and the proposed landscaping scheme.
- 7.6 No other revisions are proposed to the scale, layout, appearance and access of the development as approved under app. ref. 4/22/2332/0F1.

Revised Garage Design

- 7.7 The revised garage design reduces the length of the garages from 7.5m to 6.5m only.
- 7.8 The revisions will not result in material changes to the overall appearance of the development and will not result in adverse impacts upon residential amenity, given the proposed reduction in size.
- 7.9 The garages do not comprise part of the approved scheme of off highway parking provision.
- 7.10 Cumberland Council – Highways have confirmed no objections.

Surface Water Drainage

- 7.11 The proposed amendments to the surface water drainage scheme improve erosion control over the lifetime of the development.
- 7.12 The previously agreed volume and controlled discharge rate, treatment, attenuation and final receptor have not changed.
- 7.13 The revised design of the swale and basin do not result in a material change in landscape and settlement character impacts.
- 7.14 The LLFA has no objection to the variations as it bolsters the existing design and makes it more resilient.
- 7.15 United Utilities have confirmed no objections.

Construction Surface Water Management and Silt Management

- 7.16 Silt management on the Edgehill and Wilson Howe developments completed to date has been subject to significant scrutiny including as part of a planning enforcement investigation.
- 7.17 Haig Angling Club have reported excessive silt build up in Mirehouse Ponds, which it has been claimed is caused by the construction of the Edgehill and Wilson Howe developments completed to date.
- 7.17 Silt monitoring and management measures were secured as part of the approved planning permissions for the Edgehill and Wilson Howe developments.
- 7.18 The Applicant has recently sought to improve on the approved management measures on Phase 3 of the Edgehill development which is currently under construction. The improvements include the introduction of additional measures including settlement ponds and additional traps following review and engagement with Cumberland Council LLFA and The Environment Agency, which was progressed and facilitated through the planning enforcement investigation.
- 7.19 Whilst silt management is a material planning consideration, notwithstanding any provisions within any planning permission, controls remain the responsibility of the Applicant/Developer who is ultimately responsible for preventing such contamination, with the Environment Agency being the regulating authority.
- 7.20 A comprehensive scheme of construction surface water management remains proposed to manage the impacts of surface water and siltation during construction.
- 7.22 No revisions are proposed to the principles and means of construction surface water management approved under app. ref. 4/22/2332/0F1.

Ecology and Arboriculture

- 7.23 No amendments are proposed to the number trees and hedgerows etc. approved under app. ref. 4/22/2332/0F1, with revisions limited to the location of the planting within the development.
- 7.24 There are minor changes to the area proposed for adoption by United Utilities and the areas comprising part of the attenuation basin.
- 7.25 A Biodiversity Net Gain Calculation has been prepared in relation to the revised scheme of landscaping. These continue to demonstrate the achievement of a 98.68% increase in area habitats and a 100% increase in linear hedgerow habitats. This considerably exceeds the requirements of Policy N3PU of the ELP. A Biodiversity Enhancement Management Plan has been prepared to ensure that the stated biodiversity net gains are achieved/maintained and a planning condition remains proposed to secure its implementation.

Planning Conditions

- 7.26 The pre-commencement planning conditions imposed on app. ref. 4/22/2332/0F1 have been approved.
- 7.27 The planning conditions imposed on app. ref. 4/22/2332/0F1 have been revised to reflect both the proposed revisions and the details approved in relation to the pre-commencement planning conditions.

8. The Planning Balance

- 8.1 The principle of the development has previously been established.
- 8.2 The proposed revisions to the design of the garage are appropriate to the design of the development and do not result in amenity impacts.
- 8.3 The proposed amendments to the surface water drainage scheme improve erosion control over the lifetime of the development and represent betterment of the approved details.
- 8.4 The planning balance weighs in favour of approval of the planning application.

Recommendation:

Members authorise delegated authority to the Assistant Director of Thriving Place and Investment to approve planning permission for the development subject to:

- the Applicant entering into a Deed of Variation of the Section 106 Planning Obligation entered as part of application ref. 4/22/2332/0F1 to secure:
 - I. the delivery of the required 10no. affordable dwellings;
 - II. the maintenance and management of the proposed public open space;

- III. a travel plan monitoring fee of £6,600;
- IV. an education contribution of £199,122; and,
- V. a financial contribution of £8000 to cover the Traffic Regulation Order for the extension of the 30mph speed limit on High Road.
- the planning conditions outlined in Appendix 1 of this report; and
- any amendments as deemed acceptable by the Assistant Director of Thriving Place and Investment.

Appendix 1

List of Conditions and Reasons

1. The development hereby permitted shall begin not later than the 16th January 2027.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan – Drawing No. 66D-STO 002

Geoenvironmental Appraisal of Land at Phase 4, Edgehill Park, Whitehaven – Report Ref. 4046-G-R024

Remediation Strategy - Report Number 4046-G-R030 dated November 2022 (ID Geoenvironmental)

Preliminary Ecological Appraisal – Edgehill Park – Phase 4 – Ref. UG415 PEA 01.

eDNA Survey Results – Ref. UG1415

Biodiversity Net Gain Design Stage Assessment – March 2024

Biodiversity Enhancement Management Plan Edgehill Park – Phase 4 – Report Ref. BEMP – March 2024

Coopers Micro Drainage Calculations - Foul Sewerage Design – 14/03/2024 Rev. K

Coopers Micro Drainage Calculations - Storm Sewer Design – 14/03/2024 Rev. L

Flood Risk Assessment Report – Report Ref. 7843FRA 8th March 2024

Proposed Drainage Layout – Drawing No. 7843 Rev. H

Flood Route Exceedance Plan - Drawing No. 7843/SK13

Proposed Cut and Fill Earthworks – Drawing No. 7843/16 Rev B

Strategy Levels, Drawing No. 7843/SK09 Rev E

Site Sections – Drawing No. 7843/SK08 Rev G

Proposed Highway Longsections Sheet 1 of 2 – Drawing No. 7843/SK03-1 Rev E

Proposed Highway Longsections Sheet 2 of 2 – Drawing No. 7843 / SK03-2 Rev E

Maintenance Inspection Plan - Drawing No. 7843/24

Construction Method Statement - 4/22/2332/OF1 – May 2024

Construction Management Plan – Drawing No. 20095.90.9.CMP Rev. A

Surface Water Management Plan Phase 1 – Drawing No. 20095.90.9.SWMPP1 Rev B

Surface Water Management Plan Phase 2 – Drawing No. 20095.90.9.SWMPP2 Rev B

Surface Water Management Plan Sub Phase 3 - Plot Build - Drawing No. PLN 20095.90.9.SWMPP Rev. A

Silt Management Reporting Plan May 2024

Hy-Tex Ultra Dewatering Bag Details

Landscape General Arrangement Plan - Drawing No. UG_1415_LAN_GA_DRW_01_P16

Soft Landscape Plan Sheet 1 of 7 - Drawing No. UG_1415_LAN_SL_DRW_01 P12

Soft Landscape Plan Sheet 2 of 7 - Drawing No. UG_1415_LAN_SL_DRW_02 P07

Soft Landscape Plan Sheet 3 of 7 - Drawing No. UG_1415_LAN_SL_DRW_03 P07

Soft Landscape Plan Sheet 4 of 7 - Drawing No. UG_1415_LAN_SL_DRW_04 P07

Soft Landscape Plan Sheet 5 of 7 - Drawing No. UG_1415_LAN_SL_DRW_05 P09

Soft Landscape Plan Sheet 6 of 7 - Drawing No. UG_1415_LAN_SL_DRW_06 P12

Soft Landscape Plan Sheet 7 of 7 - Drawing No. UG_1415_LAN_SL_DRW_07 P11

Edgehill Park Phase 4 – Landscape Supporting Notes – Drawing No.
UG_1415_LAN_LSN_DRW_01 Rev. P01

Detailed Site Layout - Drawing No. PLN 100 Rev. S

Proposed Boundary and Elevation Treatments - Drawing No. PLN 102 Rev. G

Parking Provision - Drawing No. PLN 105 Rev. H

Proposed Hard Surfaces – Drawing No. PLN 105 Rev. I

Proposed Management Plan – Drawing No. PLN 106 Rev. I

Proposed Design Street Scenes - Drawing No. VER 107 Rev. D

Detailed Site Layout (Affordable Units) Drawing No. PLN 200 Rev. B

External Works Layout Sheet 2 of 2 – Drawing No. 7843/07-2 Rev. D

SD 100 - External Plot Finishes Issue (02) - 1850mm High Open Boarded Fence
Drawing No. SD100-A-001 Rev. A, 1850mm High Open Boarded Timber Side Gate
Details Drawing No. SD100-A0-002.1 Rev. A, 1850mm High Feather Edge Board
Timber Side Gate Details Drawing No. SD100-A-002.2, 1850mm High Hit & Miss
Fence Drawing No. SD100-A-003 Rev. A, 600mm & 450mm High Trip Rail Drawing
No. SD100-A-012, 1800mm High Brick Boundary Wall Drawing No. SD100-B-001
Rev. A, 900mm High Estate Railing Drawing No. SD100-C-001.

Garage Booklet - Drawing No. GB-PLP1/1

Branford A20 M4(2) - Planning Layout Drawing No. BFD-PLP1 / Drawing No.
Planning Elevations 1/1 BFD-PLE1/1

Cooper A20 M4(2) - Planning Layout 1 (Semi) Drawing No. CPR-PLP1, Planning
Elevations 1/1 (Semi) Drawing No. CPR-PLE1/1, Planning Layout 3 (Corner)
Drawing No. CPR-PLP3, Planning Elevation 3/1 (Corner) Drawing No. CPR-PLE3/1

Dawson A20 - Planning Layout 1 Drawing No. DWN-PLP1, Planning Elevations 1/1
Drawing No. DWN-PLE1/1, Planning Elevations 1/2 Drawing No. DWN-PLE1/2

Fulford A20 M4(2) - Planning Layout 1 Drawing No. FFD-PLP1, Planning Elevations
1/1 Drawing No. FFD-PLE1/1

Grayson - Planning Layout Drawing No. GRN-PLP1, Planning Elevation 1/1 Drawing
No. GRN-PLE1/1, Planning Elevation 1/2 Drawing No. GRN-PLE1/2

Harper (A20) - Planning Layout 1 Drawing No. HPR-PLP1, Planning Elevations 1/1
Drawing No. HPR-PLE1/1, Planning Elevations 1/2 Drawing No. HPR-PLE1/2

Hewson (A20) - Planning Layout 1 Drawing No. HWN-PLP1, Planning Elevations 1/1
Drawing No. HWN-PLE1/1, Planning Elevations 1/2 Drawing No. HWN-PLE1/2

Masterton (A20) - Planning Layout 1 Drawing No. MTN-PLP1, Planning Elevations 1/1 Drawing No. MTN-PLE1/1, Drawing No. Planning Elevations 1/2 MTN-PLE1/2

Sanderson (A20) - Planning Layout 1 Drawing No. SAN-PLP1, Planning Elevations 1/1 Drawing No. SAN-PLE1/1, Planning Elevations 1/2 Drawing No. SAN-PLE1/2

Spencer (A20) - Planning Layout 1 Drawing No. SPR-PLP1, Planning Elevations Drawing No. 1/1 SPR-PLE1/1, Planning Elevations 1/2 Drawing No. SPR-PLE1/2

Wexford A20 M4(2) - Planning Layout 1 Drawing No. WXD-PLP1, Planning Elevation 1/1 Drawing No. WXD-PLE1/1, Planning Layout 2 Drawing No. WXD-PLP2, Planning Elevation 2/1 Drawing No. WXD-PLE2/1

Wexford CS20 M4(2) - Planning Layout 1 Drawing No. WXD-PLP1, Planning Elevation 1/1 Drawing No. WXD-PLE1/1

Edgehill Phase 4 Material Samples

Highway Construction Details Sheet 1 of 2 - Drawing Number 7843 /05-1 Rev A (Coopers)

Highway Construction Details Sheet 2 of 2 - Drawing Number 7843 / 05-2 (Coopers)

Southern Link Plan - Drawing Number 7843/SK14 (Story Homes)

Arboricultural Impact Assessment (Urban Green) – Document Reference UG1415 Rev. 03

S278 Plan - Drawing Number 20095.90.9.S278P Rev T2 (Story Homes)

TPS Travel Plan dated August 2023 (TPS) – Document Reference: P0646H_20230807_Edgehill Park Phase 4 Travel Plan Revision 3

EV Charging Plan - Drawing Number 20095.90.9.EVCP Rev P2

SuDS Management Plan dated November 2023 (Coopers) – Document Reference: 7843SMP – Minor revision awaited.

Trim Trail Details - Drawing Number SL000105.90.9.TT (Story Homes)

Surface Water Catchment Areas – Drawing Number 7843/14 Rev. A

Surface Water Attenuation and Outfall Details - Drawing Number 7843/15 Rev. E

General Arrangement Plan - Drawing Number UG_1415_LAN_GA_DRW_01 Rev. P16

Reason

For the avoidance of doubt and in the interests of proper planning.

Pre-Commencement Planning Conditions

3. No development shall commence until any remediation works and/or mitigation measures to address the mine entry and shallow coal mining works, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

This is in order to ensure the safety and stability of the development, in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

Construction Management

4. Prior to the commencement of the movement of earth, the highway drains shall be protected and silt traps and other silt management techniques shall be installed in accordance with the approved details.

The approved details shall be maintained for the entirety of the construction period.

Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2021.

Pre-Occupation Conditions

Ground Conditions

5. Prior to the occupation of the first dwelling hereby approved a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the local planning authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by the recorded mine entry.

Reason

This is in order to ensure the safety and stability of the development, in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

Highways

6. No dwelling hereby approved shall be occupied until the vehicular access, turning areas and parking spaces required to serve that dwelling have been constructed in accordance with the approved plans to a minimum of basecourse level.

The vehicular access, turning areas and parking spaces shall be retained and remain capable of use at all times thereafter and shall not be removed or altered.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

Drainage

7. No dwelling hereby approved shall be occupied until the approved scheme of surface water drainage infrastructure to serve that dwelling has been completed and brought into operational use.

Once completed and brought into operational use, the surface water drainage infrastructure shall be retained operational for the lifetime of the development.

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 in accordance with the provisions of Policy ST1 and ENV1 of the Copeland Local Plan 2013 – 2028.

Other Stage Planning Conditions

Highways

8. Prior to the occupation of the 50th dwelling hereby approved the scheme to improve the link from High House to Gomeriggs Road shall be implemented and made available for use.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

9. Prior to the occupation of the 50th dwelling hereby approved, the scheme of traffic calming measures to be delivered on High Road, Whitehaven shall be implemented and brought into use.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

10. Prior to the occupation of the 50th dwelling hereby approved the children's play space shall be constructed and brought into use.

The area shall be maintained for use as a children's play space for the lifetime of the development.

Reason

To ensure the provision of sufficient provision of children's play space within the development for use by residents in accordance with the provisions of Policy SS5 and Policy DM12 of the Copeland Local Plan 2013-2028

11. The measures identified in the approved Travel Plan shall be implemented within 12 months of the occupation of the first dwelling hereby approved.

Reason

To aid in the delivery of sustainable transport objectives in accordance with Policy T1 of the Copeland Local Plan 2013 – 2028.

Other Planning Conditions

Drainage

12. The sustainable drainage management and maintenance plan for the lifetime of the development shall be completed, maintained and managed in accordance with the approved details.

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.

Highways

13. Footways shall be provided that link continuously and conveniently to the nearest existing footway.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

14. An annual report reviewing the effectiveness of the approved Travel Plan and including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to the local planning authority for approval.

This annual Travel Plan monitoring report shall be submitted for review to the local highway authority for a period of 5 years on the anniversary of the occupation of the 50th dwelling hereby approved.

Reason

To aid in the delivery of sustainable transport objectives in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

Landscaping/Biodiversity

15. All hard and soft landscape works are to be carried out in accordance with the approved details in the first planting season following completion of the development.

Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

16. The development hereby approved shall not proceed except in accordance with the recommendations outlined in Preliminary Ecological Appraisal – Edgehill Park – Phase 4 – Ref. UG415 PEA 01.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

17. The approved landscaping scheme shall be managed in accordance with the provisions of Biodiversity Enhancement Management Plan Edgehill Park – Phase 4 – Report Ref. BEMP – March 2024.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

Arboriculture

18. Arboricultural Impact Assessment (Urban Green) – Document Reference UG1415 Rev. 03 shall be implemented as approved for the duration of the construction period.

Reason

To ensure the protection and retention of important landscape features in accordance with the provisions of Policy DM28 of the Copeland Local Plan 2013 – 2028.

Ground Conditions

19. 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 within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Construction Management

20. The approved Construction Method Statement - 4/22/2332/OF1 – May 2024 shall be adhered to throughout the construction period.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

21. No work for the construction of these developments, including demolition, shall take place on the site, except between the hours:

07:30 - 18.00 Monday to Friday; and

08.00 - 13.00 on Saturdays.

No work should be carried out on Sundays or officially recognised public holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Appendix 2 Copy of the plans/drawings