

A2B DEVELOPMENTS

20 Rheda Park

Frizington

Cumbria

CA26 3TA

Tel:

Introduction

This Statement of Case (SoC) is submitted by A2B DEVELOPMENTS in support of their appeal against the decision of Copeland Borough Council (CBC) issued on 29th October 2021 to refuse a planning application comprising: **Application 4/19/2140/001 - Land to North of Ennerdale Country House Hotel, Cleator** Outline application for residential development (with full details of access) & demolition of derelict barn. The SoC will only address those items given as reasons for refusal as part of the decision notice.

Decision Notice

Inadequate information has been submitted to demonstrate that the visibility splays of 2.4m x 60m identified as deliverable to the proposed vehicle access are appropriate to the known recorded 85th percentile traffic speeds on the A5086 which significantly exceed the designated 30mph speed limit of the highway.

- The 85th percentile traffic survey speeds on this part of the A5086 are less than the acceptable average as defined by the County Highways. As a result of this the Highway Engineer confirmed that visibility splays of 2.4m x 60m were acceptable. Evidence to support this is in the pack considered by the Planning Panel.

Inadequate information has also been submitted to demonstrate that a cost-effective scheme of mitigating traffic calming is deliverable that will achieve a reduction in 85th percentile traffic speeds to a level that makes the visibility splays of 2.4m x 60m identified as deliverable to the proposed vehicle access appropriate.

- Since the 85th percentile speed is within acceptable limits and the Highway Engineer confirmed that visibility splays of 2.4m x 60m were appropriate the traffic calming scheme is not necessary. The traffic calming scheme is a recommendation. It was developed from direct design input and recommendations of the Lead Highway Engineer (Supporting Document ref. **Development Management and LLFA letter 05/02/2021 including traffic calming design A5086Cleator_MH12022021**). Furthermore, it is not for the Planning Panel to consider the economics of providing the traffic calming scheme. If necessary, the economics of the scheme can be presented during the detailed planning phase.

The Planning Committee have not taken cognisance of the advice of the Highway Engineer that there will be no impact on highway safety. Assuming the traffic calming scheme is implemented it would be reasonable to conclude that the probability of an accident would decrease and therefore road safety would in fact improve.

The Copeland Planning Office also recommended the application be approved.

The proposed development is aligned with the requirements of Policy T1 of the Copeland Local Plan 2013-2028 and Paragraphs 110 and 111 of the National Planning Policy Framework.