

Discharge of Condition Statement

Application to discharge Conditions 6, 8, 10, 13, 14, 15, 16, 17 and 18 of
Application 4/16/2415/O01

Prepared on behalf of Thomas Armstrong (Construction) Ltd



Report Details

Issued by	Sam Greig Planning	
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1 Introduction

- 1.1.1 This Statement accompanies an application to discharge conditions 6, 8, 10, 13, 14, 15, 16, 17 and 18 of Application 4/16/2415/O01 which is an Outline Application relating to residential development at Harras Dyke Farm, Harras Dyke, Whitehaven.
- 1.1.2 The Statement lists the conditions that are proposed to be discharged, along with the information that has been provided to discharge the conditions in question.

2 Condition 6 – Highway Details

2.1.1 Condition 6 states that:

“The carriageway, footways, footpaths and cycleways associated with the development shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal cross sections, shall be submitted to the Local Planning Authority for approval prior to the commencement of the development. No work shall be commenced until a full specification has been approved in writing by the Local Planning Authority. 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 complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety, in accordance with the National Planning Policy Framework and to support Local Transport Plan Policies LD5, LD7, LD8 and policies ST1, T1 and DM22 of the Copland Local Plan.”

2.1.2 The information provided to discharge the condition is as follows:

1. External Levels Plan-Sheet 1 of 3 (Drawing No. 1);
2. External Levels Plan-Sheet 2 of 3 (Drawing No. 2);
3. External Levels Plan-Sheet 3 of 3 (Drawing No. 3);
4. Highways Longitudinal Sections-Sheet 1 of 2 (Drawing No. 4);
5. Highways Longitudinal Sections-Sheet 2 of 2 (Drawing No. 5);
6. External Works Plan-Sheet 1 of 3 (Drawing No. 6a);
7. External Works Plan-Sheet 2 of 3 (Drawing No. 7a);
8. External Works Plan-Sheet 3 of 3 (Drawing No. 8a);

9. External Works Plan-Full Site (Drawing No. 12);
10. External Works Construction Details-Sheet 1 of 2 (Drawing No. 9);
11. External Works Construction Details-Sheet 2 of 2 (Drawing No. 10);
12. Vehicle Swept Path Analysis - Refuse Vehicle (Drawing No. 11);
13. S38 Highways Adoption Plan (Drawing No. 13A).

2.1.3 It is noted that the Highway Authority consultation response dated 4th June 2024 states that it is not clear if sufficient in-curtilage spaces for each house have been provided. Whilst this observation is noted, it is a matter that was considered and assessed as acceptable via the approval of the Reserved Matters Application. Consequently, it is not appropriate to revisit this matter now. Furthermore the condition does not relate to parking provision.

3 Condition 8 - Ramps

3.1.1 Condition 8 states that:

“Ramps shall be provided on each side of every junction to enable wheelchairs and pushchairs to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing and implemented as approved.

Reason

To ensure that pedestrians and people with impaired mobility can negotiate road junctions safely in accordance with Policy DM22 of the Copland Local Plan.”

3.1.2 The information provided to discharge the condition is as follows:

1. External Works Plan-Sheet 1 of 3 (Drawing No. 6a);
2. External Works Plan-Sheet 2 of 3 (Drawing No. 7a);
3. External Works Plan-Sheet 3 of 3 (Drawing No. 8a);
4. External Works Plan-Full Site (Drawing No. 12).

4 Condition 10 – Construction Method Statement

4.1.1 Condition 10 states that:

“No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall include:

- The means of access for demolition and construction traffic*
- The loading and unloading of plant and materials*
- The storage of plant and materials used in construction including measures to prevent silt and other contaminants from entering surface water drains and a scheme for recycling / disposing of waste resulting from construction works.*

Reason

To protect neighbour amenity and to protect the environment from pollution in accordance with Policy ST1 of the Copeland Local Plan.”

4.1.2 The information provided to discharge the condition is as follows:

1. Construction and Traffic Management Plan dated 29th July 2024.

5 Condition 13 – Archaeology

5.1.1 Condition 13 states that:

“No development shall commence on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the application and approved by the Local Planning Authority.

This written scheme will include the following components:

- An archaeological evaluation*
- An archaeological recording programme, the scope of which will be dependent upon the results of the evaluation:*
- Where significant archaeological remains are revealed by the programme of archaeological work, a post excavation assessment and analysis, preparation of a site achieve ready for deposition at a store approved by the Local Planning Authority, completion of an archive report and a submission of the results suitable for publication in a suitable journal.*

Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for examination and for the preservation, examination or recording of such remains.”

5.1.2 The information provided to discharge the condition is as follows:

1. Please refer to the letter from Jeremy Parsons, Historic Environment Officer, dated 18th October 2019. The letter states that that the site was impacted upon by open cast mining in the 1980s and that the archaeological potential is negligible. It concludes by stating “... *in light of this information, I no longer consider that archaeological work is necessary on the site and I consider the requirements of the archaeological condition have been fulfilled.*”

6 Condition 14 – Affordable Housing

6.1.1 Condition 14 states that:

6.1.2 *“The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:*

- 1. The numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 25% of housing units unless otherwise agreed in writing by the Local Planning Authority;*
- 2. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;*
- 3. The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved;*
- 4. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing, and;*
- 5. The occupation criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.*

Reason

In the interests of ensuring that affordable housing is provided within the borough, in accordance with Policies ST1 and SS3 of the Copeland Local Plan.”

6.1.3 The information provided to discharge the condition is as follows:

1. The location and proposed house types to be made available as affordable dwellings are identified on the Affordable Housing Plan (Drawing No. 2258-PL256).

2. It is proposed that 9 JJA House Types are proposed to be made available, which equates to a provision of 10.5%. Seven of the dwellings are proposed to be made available via 'discounted sale' with the discount being set at 80% of open market value. The remaining two affordable dwellings will be made available as First Homes with the discount set at no more than 70% of open market value.
3. It is proposed that the Council prepare a s106 agreement, which will secure the affordable units in perpetuity and address the specific requirements of the condition.

7 Condition 15 – Foul and Surface Water drainage

7.1.1 Condition 15 states that:

“The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority in relation to the development. The scheme shall be implemented as approved.

Reason

To protect the water environment and in accordance with Policy DM11 of the Copeland Local Plan.”

7.1.2 The information provided to discharge the condition is as follows:

1. Covering letter from R G Parkins dated 26th July 2024;
2. Drainage Strategy & Design (Document reference DS-001B);
3. SuDS Operation & Maintenance Plan (Document reference OM-002);
4. Foul And Surface Water Plan (Drawing No. 20B);
5. Foul and Surface Water Drainage Plan-Sheet 1 of 5 (Drawing No. 21B);
6. Foul and Surface Water Drainage Plan-Sheet 2 of 5 (Drawing No. 22B);
7. Foul and Surface Water Drainage Plan-Sheet 3 of 5 (Drawing No. 23B);
8. Foul and Surface Water Drainage Plan-Sheet 4 of 5 (Drawing No. 24B);
9. Foul and Surface Water Drainage Plan-Sheet 5 of 5 (Drawing No. 25B);
10. Surface Water Drainage Catchment Plan (Drawing No. 26A);
11. SuDS Detention basin Construction Details (Drawing No. 27A);
12. Surface Water Drainage Exceedance Plan (Drawing No. 28);
13. Surface Water Drainage Manhole Schedules-Sheet 1 of 2 (Drawing No. 29A);

14. Surface Water Drainage Manhole Schedules-Sheet 2 of 2 (Drawing No. 30A);
15. Foul Water Drainage Manhole Schedules (Drawing No. 31A);
16. Plan Showing Drainage Crossovers with UU Water Mains (Drawing No. 40A).

8 Condition 16 – Surface Water drainage

8.1.1 Condition 16 states that:

“The development hereby permitted shall not begin until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- 1. Details of how the scheme shall be managed and maintained after completion.*
- 2. Details of the design parameters used and confirmation that climate change has been incorporated into the design.*

Reason

To prevent increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system in accordance with Policies DM10 and DM24 of the Copeland Local Plan.”

8.1.2 The information provided to discharge the condition is as follows:

1. Covering letter from R G Parkins dated 26th July 2024;
2. Drainage Strategy & Design (Document reference DS-001B);
3. SuDS Operation & Maintenance Plan (Document reference OM-002);
4. Foul And Surface Water Plan (Drawing No. 20B);
5. Foul and Surface Water Drainage Plan-Sheet 1 of 5 (Drawing No. 21B);
6. Foul and Surface Water Drainage Plan-Sheet 2 of 5 (Drawing No. 22B);
7. Foul and Surface Water Drainage Plan-Sheet 3 of 5 (Drawing No. 23B);

8. Foul and Surface Water Drainage Plan-Sheet 4 of 5 (Drawing No. 24B);
9. Foul and Surface Water Drainage Plan-Sheet 5 of 5 (Drawing No. 25B);
10. Surface Water Drainage Catchment Plan (Drawing No. 26A);
11. SuDS Detention basin Construction Details (Drawing No. 27A);
12. Surface Water Drainage Exceedance Plan (Drawing No. 28);
13. Surface Water Drainage Manhole Schedules-Sheet 1 of 2 (Drawing No. 29A);
14. Surface Water Drainage Manhole Schedules-Sheet 2 of 2 (Drawing No. 30A).

9 Condition 17 – Foul drainage

9.1.1 Condition 17 states that:

“Before the development commences full details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.

Reason

To ensure the provision of a satisfactory drainage scheme and in accordance with Policy DM24 of the Copeland Local Plan.”

9.1.2 The information provided to discharge the condition is as follows:

1. Drainage Strategy & Design (Document reference DS-001B);
2. Foul And Surface Water Plan (Drawing No. 20B);
3. Foul and Surface Water Drainage Plan-Sheet 1 of 5 (Drawing No. 21B);
4. Foul and Surface Water Drainage Plan-Sheet 2 of 5 (Drawing No. 22B);
5. Foul and Surface Water Drainage Plan-Sheet 3 of 5 (Drawing No. 23B);
6. Foul and Surface Water Drainage Plan-Sheet 4 of 5 (Drawing No. 24B);
7. Foul and Surface Water Drainage Plan-Sheet 5 of 5 (Drawing No. 25B);
8. Foul Water Drainage Manhole Schedules (Drawing No. 31A);
9. Plan Showing Drainage Crossovers with UU Water Mains (Drawing No. 40A).

10 Condition 18 – Ordinary Watercourse Connection

10.1.1 Condition 18 states that:

“Prior to the commencement of any development on site a condition survey of the existing connection into the ordinary watercourse shall be carried out. The results of this survey shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

Reason

To ensure the provision of a satisfactory drainage scheme and in accordance with Policy DM24 of the Copeland Local Plan.”

10.1.2 The information provided to discharge the condition is as follows:

1. Covering letter from R G Parkins dated 26th July 2024;
2. Drainage Strategy & Design (Document reference DS-001B);
3. CCTV Inspection Report prepared by SK Drainage Solutions Ltd (Document Reference SK-S 161-2023);
4. Off Site Surface Water Drain Plan dated 04/2023;
5. CCTV footage of the surveyed culverts. Please note that due to the size of the videos this information has been forwarded separately to the Council.