



Discharge of Pre-Commencement Conditions

For

Land Adjacent to School House with Access from
the B5345, St Bees

Application Ref: 4/22/2315/0F1

Application for discharge of conditions: 4/22/2315/0F1

REF: APPLICATION No: 4/22/2315/0F1 ERECTION OF THREE DWELLINGS LAND ADJACENT TO SCHOOL HOUSE WITH ACCESS FROM THE B5345, ST BEES

With regards to the decision notice received on the 2nd of June 2023 in reference to application No: 4/22/2315/0F1, please find below the listed conditions and details of how these have/will be discharged. you must submit the details, along with a completed application form and the appropriate fee to the planning department.

Standard Conditions:

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission

Response: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004, work will commence on the development as soon as we have received the decision notice in acceptance to this application for discharge of conditions. This will be within three years from the date of this permission.

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them

Response: To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004, it is confirmed that the development shall be carried out as per the mentioned plans and documents.

Pre-Commencement Conditions:

3. The development hereby approved must not commence until visibility splays providing clear visibility as shown on approved plan 'Visibility Splays (Amended), Scale 1:200, Drawing No: 017, Rev: D, received by the Local Planning Authority on the 14th March 2023' of 45 metres in both directions measured 2.4 metres down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded. The visibility splays must be retained at all times thereafter.

Response: In the interests of highway safety and to satisfy the condition(s) stated above, we confirm that a site meeting occurred between the plot owners and Paul Telford (Development Management Officer) from the Highways LLFA on the 23rd of June 2023, to gain advice and clarification of what is required to discharge this condition and various others. Paul informed us that we need to show the visibility splays prior to applying for discharge of this condition and I can confirm that the visibility splays now provide clear visibility as per the approved plan 'Visibility Splays (Amended), Scale 1:200, Drawing No: 017, Rev: D, received by the Local Planning Authority on the 14th March 2023' and that these visibility splays will be retained at all times thereafter. Please note, following this meeting we respectively informed all interested parties/consultees of said work that was to occur via email on 27th June 2023 (via Nadine Caulfield), For completeness, please see **Appendix A**, showing before and after images of said visibility splays.

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Response: In the interests of highway safety and environmental management and to satisfy the condition(s) stated above, this condition was discussed with Paul Telford during the site meeting on the 23rd of June 2023. We (the plot owners), communicated details of how we would prevent surface water discharging onto or off the highway prior to the completion of the development and how we would maintain this thereafter, this proposal was deemed acceptable by Paul, which is detailed below:

The development is situated East of the main highway route for St Bees, the B5345 which sits at a higher level, shown in 'drawing No13 Rev D site sections plan'. An access road onto the site will allow rainwater discharge from the main highway onto the development land but will be treated by the installed road drainage works that will be installed at the first stage of the site development. The site drainage works will be connected to the B5345 combined sewer pipeline to treat any surface water.

Over the timeline of the site development and the removal of the trees and grassland where the houses are to be built, the drainage of rainwater may alter and run off to lowest level positions of the development site. To aid the soak up of rainwater on the development land, the hedge located at the bottom level of the East boundary of the site and grassed areas will be retained at the West boundary and behind the development plots on the West boundary.

Sandbags will be located at points A, B, and C as shown on **Appendix B**, to stop any overflow discharging from the site. Points A and B have paved exits that will allow faster water to run off and point C is the lowest point of the site development which is why they have been identified as areas for extra protection with sandbags.

5. The development hereby approved must not be commenced until a scheme detailing the following has been submitted and approved in writing by the Local Planning Authority:

- Measures to protect the culvert within the application site during the construction phase of the development;
- Confirmation of arrangements for on-going maintenance of the culvert within the site boundary upon completion of the development.

The development must be completed in accordance with any approved details and must be retained for the lifetime of the development.

Response: To ensure the provision of a satisfactory drainage scheme and to satisfy the condition(s) stated above, the proposed discharge of this condition was discussed at the site meeting with Paul Telford (Highways LLFA) and was deemed acceptable.

Measures to protect the culvert within the application site during the construction phase of the development: Following the forementioned meeting and once we had respectively informed all interested parties/consultees of said work via email on 27th June 2023 (via Nadine Caulfield), we instructed S K Drainage Solutions Ltd to conduct a CCTV survey of the culvert within the development boundary and consequently they produced a report of the findings, see **Appendix F - SK-S 080-2023 ST BEES SCHOOL HOUSE**, so that we could assess and repair identified damage prior to construction.

Quotations have been requested for any damage identified pre commencement, as per Appendix F, prior to commencement of works, see **Appendix G** - Quotation SK-Q126.

We can confirm that S K Drainage Solutions Ltd have been instructed to repair identified damage as per Quotation SK-Q126 as required.

During construction, physical barriers will be erected to protect the culvert entrance and the culvert location within the development boundary shall be marked accordingly to inform all where the culvert is located.

Confirmation of arrangements for on-going maintenance of the culvert within the site boundary upon completion of the development: Following completion of the development, I can confirm that we will instruct S K Drainage Solutions Ltd to conduct a further CCTV survey of the section of the culvert within the development site to ensure that damage to the culvert has not occurred during construction. Should damage be identified, this will be repaired to a satisfactory standard in accordance with details submitted and approved in writing by the Local Planning Authority.

Furthermore, we can confirm that the following construction, the riparian owner (Plot 3) will maintain the culvert by ensuring that water flows naturally by removing any blockages, such as fallen trees or overhanging branches and will ensure the access is accessible and free of any trees or shrubs so that the culvert does not become blocked and remains free of debris or anything else that may cause blockages and/or water to back up and prevent it from draining the ground above. The riparian owner(s) will report any incident(s), for example flooding or blockages, at their earliest opportunity via the Environment Agency Incident Hotline and will not go inside the culvert due to risk of getting trapped or poisoned by gasses. The riparian owners will also ensure that the water does not become polluted via wastewater, chemicals, or anything else that could cause pollution on the banks or in the water.

We can confirm that the development will be completed in accordance with any approved details and must be retained for the lifetime of the development.

6. The development hereby approved must not commence until an Arboricultural Method Statement, in accordance with the British Standard – BS5837 (2012) Trees in relation to design, demolition and construction – Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement must include details of suitable tree protection barriers, a scaled and dimensioned tree protection plan showing the locations of the protective barriers, and a detailed schedule of the tree work. The development must be carried out in accordance with the approved method statement at all times thereafter, and any approved tree protection measures/barriers must be erected prior to any construction works on the site and must be maintained for the duration of the construction operations.

Response: To protect the existing trees on site and to satisfy the condition(s) stated above, please see **Appendix C** – Arboricultural Method Statement, in accordance with the British Standard – BS5837 (2012) which satisfies all requirements detailed within condition No. 6. The development will be carried out in accordance with the approved method statement at all times thereafter, and any approved tree protection measures/barriers will be erected prior to any construction works on the site and will be maintained for the duration of the construction operations.

7. The development hereby approved must not commence until a full landscape plan has been submitted and approved in writing by the Local Planning Authority. The landscaping plan must include the locations, a detailed planting specification, and a planting method statement for the proposed landscaping at this site. The development must be completed in accordance with any approved details and must be retained for the lifetime of the development.

Response: To enhance the appearance of the development in the interests of visual amenities, to ensure a satisfactory landscaping scheme and to satisfy the condition(s) stated above, Bruce Walker (Chartered Landscape Architect) from Westwood Landscape was instructed to develop a landscaping plan that includes the locations, a detailed planting specification, and a planting method statement for the proposed landscaping at this site. We can confirm that the development will be completed in accordance with any approved details and will be retained for the lifetime of the development. See **Appendix D**. Proposed Landscape Plan, Scale 1/200, Drawing No L01, Date 10.07.23.

8. The development hereby approved must not commence until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule must include details for its implementation. The development must be completed in accordance with any approved details and must be retained for the lifetime of the development.

Response: To ensure the implementation of a satisfactory landscaping scheme and to satisfy the condition(s) stated above, Bruce Walker (Chartered Landscape Architect) from Westwood Landscape was instructed to develop a schedule of landscape maintenance, which has been detailed in the Proposed Landscape Plan, see **Appendix D**. Proposed Landscape Plan, Scale 1/200, Drawing No L01, Date 10.07.23. The development will be completed in accordance with any approved details and will be retained for the lifetime of the development.

Other Conditions:

17. The development hereby approved must be completed in accordance with the approved materials detailed within the approved documents:

- Material Schedule

The development must be retained in accordance with these approved details for the lifetime of the development.

Response: To ensure a satisfactory appearance of the development in the interests of visual amenity and to satisfy the condition(s) stated above, we can confirm that the development will be completed in accordance with the approved materials schedule within the approved documents and will be retained in accordance with these approved details for the lifetime of the development.

18. Any access gates installed within the site must be of a style which do not open onto the shared access and must be retained as such at all times thereafter.

Response: In the interest of highway safety and to satisfy the condition(s) stated above, we can confirm that any access gates installed within the site will be of a style which do not open onto the shared access and will be always retained as such thereafter.

19. The existing boundary wall and hedgerow along the west boundary of the site must be retained at all times in accordance with the details submitted in the approved document 'Proposed Boundary Treatment Plan (Amended), Scale 1:200, Drawing No: 016, Rev: B, received by the Local Planning Authority on the 7th of March 2023'.

Response: To ensure a satisfactory appearance of the development in the interests of visual amenity and to satisfy the condition(s) stated above, we can confirm that the existing boundary wall and hedgerow along the west boundary of the site will be retained at all times in accordance with the details submitted in the approved document 'Proposed Boundary Treatment Plan (Amended), Scale 1:200, Drawing No: 016, Rev: B, received by the Local Planning Authority on the 7th March 2023'.