

Design and Access Statement

Kirkland Chapel, Kirkland

Mr R Gould

Ref: K42665.DA/001

Version	Date	Prepared By	Checked By	Approved By
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1. INTRODUCTION

This Design and Access Statement has been prepared in support of a planning application for the creation of a vehicular access at Kirkland Chapel, Kirkland, to facilitate the use of an indicative off-street parking space that was previously shown as part of an approved planning permission for the site.

The proposal seeks to formalise and enable vehicular access to the parking space, allowing the approved provision to function as originally intended while ensuring the works are undertaken in accordance with Cumberland Council highway standards. The purpose of this statement is to consider the relevant planning considerations.

This document should be read in conjunction with the plans submitted as part of the planning package.

Document References:

- K42665-02 New Access Plan and Details

2. SITE DETAILS

Kirkland Chapel is located within the established village of Kirkland, which is characterised by residential properties fronting directly onto the public highway. Many properties within the village benefit from individual vehicular accesses, often with constrained visibility due to the historic layout of the settlement and the proximity of buildings, walls and vegetation to the highway boundary.

The surrounding built environment reflects a traditional village form where direct access arrangements vary depending on the physical constraints of individual plots and the alignment of the highway.

3. PLANNING BACKGROUND

Planning permission has previously been granted for development at Kirkland Chapel which included an indicative off-street parking space. However, a formal vehicular access was not constructed at that time.

This application therefore seeks consent solely for the creation of a vehicular access in order to facilitate the use of the previously approved parking space. The proposal does not alter the scale or nature of the approved development but enables the intended parking provision to operate as originally envisaged.

4. AMOUNT

The proposal relates solely to the creation of a single domestic vehicular access to serve the existing property known as Kirkland Chapel within the village of Kirkland. The works are limited to the formation of a vehicle crossover and the provision of access to an indicative parking space previously shown on an approved planning permission.

No additional built development, extensions, or intensification of use are proposed as part of this application. The scale of the works is therefore minimal and limited to what is necessary to enable the approved off-street parking provision to function as intended.

5. DESIGN PRINCIPLES

The design and location of the proposed vehicular access have been informed by the physical constraints of the site and the surrounding built form.

The access is proposed within a narrow strip of land situated between neighbouring properties at Kirkland Chapel. This area represents the only available frontage through which vehicular access to the site can be achieved. Due to the positioning of adjacent buildings and established boundary treatments, there is no alternative location within the applicant's control that could reasonably accommodate a vehicular access.

The proposed location therefore reflects the only practical point at which vehicles can safely enter and exit the site while maintaining appropriate separation from neighbouring properties.

The design of the access seeks to minimise intervention within the street frontage while remaining consistent with the character of Kirkland village, where properties commonly benefit from direct access onto the highway.

Given the constraints of the site frontage, it has not been possible to reposition the access in a manner that would materially improve visibility splays without encroaching onto neighbouring land or altering the established built form. As such, the proposed arrangement represents the most logical and appropriate solution to facilitate the use of the previously approved parking space.

6. HIGHWAY CONSIDERATIONS

Prior to the submission of this application, a meeting was held with a Highways Officer from Cumberland Council to discuss the feasibility of creating a vehicular access at Kirkland Chapel.

During this discussion it was acknowledged that, due to the constraints of the site frontage and surrounding built form, the visibility splays typically recommended within current highway guidance cannot be fully achieved.

The site is located within the village of Kirkland, where vehicle speeds are naturally constrained and where numerous neighbouring properties already benefit from direct vehicular accesses with similar visibility characteristics. These arrangements reflect the historic pattern of development

within the settlement and establish a clear precedent for accesses operating safely within comparable visibility conditions.

A review of the most recent available highway safety data on crashmap.co.uk also indicates that no recorded road traffic accidents have occurred within the vicinity of the site during the most recent five-year period up to and including 2024. This evidence suggests that the highway currently operates safely despite the visibility limitations typical of this section of the village.

In order to maximise the level of visibility achievable from the proposed access, improvement works have already been undertaken along the northern boundary of the site frontage at Kirkland Chapel. An existing wall in this location has been lowered and set back slightly from the edge of the carriageway, and vegetation along this boundary has been reduced in height. These measures have been implemented to open up views along the highway corridor and improve intervisibility between vehicles exiting the site and those travelling along the road.

These works have also resulted in improved visibility for the neighbouring property's existing vehicular access, providing a wider benefit to highway safety along this section of the street within Kirkland.

Considering the village context, along with the established pattern of nearby accesses, the absence of recorded accidents, and the visibility improvements already undertaken demonstrate that the proposed access can operate safely within the constraints of the site.

Taking these factors into account, it is considered that the proposed access arrangement represents a proportionate response to the physical constraints of the site and would not give rise to any material or unacceptable impact on highway safety.

7. CONSTRUCTION AND HIGHWAY WORKS

The proposed vehicle crossover will be constructed in accordance with the standard highway construction details required by Cumberland Council.

This will ensure the access is constructed to an appropriate specification capable of accommodating vehicular movements without causing damage to the existing highway infrastructure. Any works within the public highway will be carried out in accordance with the relevant permissions and approvals required by Cumberland Council.

8. DRAINAGE

An existing ACO channel drain along the access threshold within the applicant's boundary will ensure that surface water runoff from Kirkland Chapel does not discharge onto the public highway.

This drainage measure will intercept any surface water runoff generated within the site and prevent it from flowing onto the highway.

All existing drainage arrangements located outside of the applicant's boundary will remain unchanged.

9. ACCESSIBILITY

The proposed access will provide a clear and functional vehicular entry point to the approved parking space at Kirkland Chapel, improving accessibility to the property for residents and visitors. The arrangement will allow vehicles to safely enter and exit the site while maintaining the usability of the adjacent highway.

10. PLANNING POLICY CONTEXT

The National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe.

In this instance, the proposal relates to the creation of a single domestic vehicular access to serve an already approved parking space at Kirkland Chapel. Taking into account the village context of Kirkland, the established pattern of nearby accesses, the absence of recorded accidents in the most recent five-year period, and the visibility improvements already undertaken at the site frontage, it is considered that the proposal would not result in an unacceptable impact on highway safety.

11. CONCLUSION

The proposed vehicular access at Kirkland Chapel, Kirkland, represents a minor and proportionate form of development which facilitates the use of an off-street parking space previously indicated as part of an approved planning permission.

The design of the access has been informed by the physical constraints of the site, discussions with the highway authority, and the established character of Kirkland village. Visibility improvements have already been undertaken where possible, and accident data demonstrates that the surrounding highway network operates safely.

The proposal is therefore considered to be appropriate in its context and acceptable in planning and highway safety terms.

APPENDIX A – BACKGROUND & HISTORY

INFORMATION PROVIDED BY CLIENT

Planning Applications and Approvals.

APPLICATION NO 4/07/2514/0 - DATED 08/08/07
DEMOLITION OF EXISTING HALL, CONVERSION OF EXISTING CHAPEL TO A NEW DWELLING & CONSTRUCTION OF A TWO STOREY SIDE EXTENSION KIRKLAND CHAPEL FRIZINGTON CUMBRIA - MR A CLOSE WEST
GRANT OF PLANNING PERMISSION 17 Oct 2007 - permission relates solely to the amended plan (drawing no C573/001 Rev C) received by the planning authority on 23 August 2007

APPLICATION NO 4/10/2579/0F1 - DATED 13/12/2010
CHANGE OF USE OF LAND TO FORM EXTENSION TO GARDEN AND CREATION OF HARD SURFACED AREA KIRKLAND CHAPEL, KIRKLAND, FRIZINGTON - Mr R Gould.
GRANT OF PERMISSION 03 February 2011 - permission relates solely to the amended plan (drawing no G1024/011 Rev A) received by the planning authority on 18 January 2011

APPLICATION NO 4/12/2313/0F1 - DATED 20/06/2012
AMENDMENT OF CONDITION 3 (BOUNDARY TREATMENTS) OF PLANNING PERMISSION 4/07/2514/0 KIRKLAND CHAPEL, KIRKLAND, FRIZINGTON
APPROVED 09/08/2012 - the drawings submitted with this application were: C573/001 Rev C, G1024/011 Rev A (the previously approved plans) and plan G1024/012 [PROPOSED ALTERATIONS (AS BUILT)]

Building Control

Application No 4/09/1003/1
Certificate of Completion 04/07/2012

Land Transactions

On 17 October 2007 when planning permission was granted for the conversion of Kirkland Chapel to residential use the land on the north side of 1 Lake View (CA26 3XZ) was owned by the RSL Home Group and not by the then Owner of the Kirkland Chapel site.

An express easement did not exist, and a prescriptive easement could not be established and so the owner of Kirkland Chapel (CA26 3XY) could only rely on an implied easement. The consequence of this was that his development site was potentially landlocked.

On 16/07/2008 the RSL Home Group transferred the land on the north side of 1 Lake View (CA26 3XZ) to the Owner of Kirkland Chapel (CA26 3XY) and by so doing resolved the rights access issue because the land transfer grants the right to use the land for access and car parking.

This piece of land was transferred out of the title of 1 Lake View (CA26 3XZ) and the rights in favour of that property of way over the rear access road and rights of passage of services are expressed to be for every part of that property.

These rights were not excluded in the transfer of title and so the Owner of the land on the north side of 1 lake View (CA26 3XZ) has the right of access and easement over the non-adopted road at the rear of the 1 to 12 Lake View houses.

The land on which Kirkland Chapel (CA26 3XZ) is built together with the Land on the north side of 1 Lake View (CA26 3XZ) was transferred to the Applicant (Current Owner) on 23 October 2009.

At the time of the transfer access to the Kirkland Chapel (CA26 3XY) site could only be gained from the roadside pavement of the C4004 via a 3ft (915 mm) wide metal pedestrian entrance gate. This gate remains in place today i.e., in its original location which is in a central position in the drystone wall on the west boundary of the land on the north side of 1 Lake View (CA26 3XZ)

Access to the site in this location was restricted because localised obstructions existed in the immediate vicinity :

- A public telephone kiosk (abutting the wall)
- A Lamplugh Parish Council notice board (mounted on the wall)
- A post box (on the pavement)
- A shared pole for overhead cables (used for telecoms and electricity)
- Electricity and Telecommunications cables (overhead and buried)

With the benefit of a solicitor's advice and having obtained clarification on the title from the land registry an opening was formed in the dry-stone boundary wall on the southern boundary of the land on the north side of 1 lake View (CA26 3XZ) on or about the 18th of December 2009

This was done so that connection could be made to the buried services in the non-adopted road at the rear of 1 lake view (CA26 3XZ) and to allow construction plant and equipment to gain access to the Kirkland Chapel (CA26 3XY) site.

The installation of a buried Bulk LPG tank was agreed in principle, but this was conditional on their being a clear and direct line of sight between the tanker vehicle and buried tank when it was being refilled which meant that the tanker lorry needed to use the non-adopted road at the rear of 1 to 12 Lake View. Additionally, the ignition risk posed by overhead electricity cables had to be removed. These requirements triggered the decision to divert (below ground) one of the overhead electricity cables that traversed the site and to make permanent the vehicular entrance that already been formed in the southern boundary of the land on the north side of 1 lake View (CA26 3XZ).

The sides of the wall opening were therefore made good, concrete pad foundations were installed and a buried electricity supply cable was put in put into the already formed gate opening which on 17 September 2012 was fitted with an electronically operated sliding gate such that it became permanently accessible for vehicular traffic to use.

On 17 August 2010 a Planning Enforcement Officer (PEO) raised the issue that there was no vehicular access planned in the original planning application (Application No 4/07/2514/0 - dated 08/08/07 - Grant of planning permission 17 Oct 2007)

This matter was discussed whereupon the PEO concluded that planning permission was not required for the vehicular opening formed in the boundary wall because it adjoins a non-adopted road over which they have no control.

However, because the intention was to use sets over an area greater than 5 m² [deemed as a non-permeable surface] the PO expected an application to be made that detailed the course and finish and most importantly how it is intended to capture and dispose of the surface water run-off.

A firm of chartered building surveyors prepared the necessary landscaping plan and submitted a planning application which also dealt with the change of use of the strip of farmland on the north side of Kirkland Chapel (CA26 3XY) that had been transferred to the Owner of Kirkland Chapel (CA26 3XY).

The planning application was submitted (Application No 4/10/2579/0F1 - dated 13/12/2010 - Grant of planning permission 03 February 2011). The permission granted relates solely to the amended plan (drawing no G1024/011 Rev A) that was received by the planning authority on 18 January 2011.

Amongst other things this approved plan shows the gated vehicular access, the buried LPG tank, the fire wall, the set paving, the surface water drainage channels, and the incorporated garden land.

On 05 March 2012 the planning enforcement officer (PEO) wrote to the appointed building surveyor after having received a complaint that a timber fence was being erected along the eastern boundary. The PEO made the determination that further planning application(s) were needed for a few non-material amendments and to discharge condition 3 (Planning Application No 4/07/2514/0 - dated 08/08/07 - Grant of permission dated 17 Oct 2007).

The necessary applications were made and approved:

- Non-material amendments Approved by letter dated 26 June 2012
- Amendment of condition 3 - Application 4/12/2313/0F1 - dated 20/06/2012 - Approved 09/08/2012
- Two drawings were submitted and approved by the authority at this time and a copy of each was returned to the applicant
 - G1024/011A - APPROVED PLANNING DRAWING
 - G1024/012 - PROPOSED ALTERATIONS (AS BUILT)

For the avoidance of doubt an AS BUILT SITE PLAN is depicted on Approved Drawing G1024/O12

On 09 August 2012 Home Group solicitor wrote to the Owner of Kirkland Chapel (CA26 3XY)

“Unless you or your solicitor are able to prove your rights over the access to the rear of Lake View Home Group will take action to enforce their rights.”

This was a matter of concern because the installed LPG tank refilling was supposed to be done by using the non-adopted road which was also needed for other types of delivery and service vehicles and to make use of the on-site car parking space.

Solicitors had to be appointed to resolve the dispute that had arisen, and a learned barrister’s opinion was obtained which confirmed that the land on the north side of 1 Lake View (CA26 3XZ) benefited from an easement, but Kirkland Chapel (CA26 3XY) did not.

The matter would therefore need to be heard in the civil court and a case would need to be argued on the principles of Estoppel. The cost of seeking a favourable determination in the civil court was deemed to be prohibitive and so the professional indemnity insurers acting for the conveyance solicitors were notified.

This matter was not resolved until the 06 April 2016 when the Home Group granted the Owner of Kirkland Chapel a Deed of Easement for which a substantial consideration was demanded and had to be paid

Home Group were then provided with a condition survey report and asked to repair the non-adopted road surface to make it safe to use.

02 February 2022 Home Group issued a notice of intent to resurface the access road and to replace the drainage channel and disclosed the planned works commencement date (07 March 2022)

On 04 March 2022 Home Group advised that the work start date has been delayed.

This delay was attributable to one house owner in Lake View who challenged the Home Group about their right to repair the road surface on the land behind his house because he was the landowner. Home Group therefore postponed the start of the work and took legal advice before proceeding.

The planned works start date was deferred until 30 August 2022 in consequence.

On 12 August 2022 the Owner of Kirkland Chapel (CA26 3XY) discovered that a planning application had been approved (Application 4/22/2250/OF1 - 4 lake View Kirkland - Extension of Property). Concern was raised about this because no site notice had been posted, there was a perceived overlooking issue and no provision

for guarding against a fall from height had been made at the upper roof terrace level where a bi-fold door was to be installed.

A plethora of correspondence was then exchanged with the planning authority over many months about the extent of unlawful development, the nuisances such as scaffold erection and car parking that reduced the effective width of the carriageway available for vehicles and deliveries etc

This coupled with the planning authority's decision not to take any enforcement action led the Owner of Kirkland Chapel (CA26 3XY) to write to the Lamplugh Parish Council (LPC) on 13 October 2022 advising them that the non-adopted road had now been resurfaced and to highlight his concerns amongst other things about the :

- Parking and access issues
- Poor condition of pavement surface
- Poor condition of the public phone kiosk
- Reduction in hardstanding car spaces
- Demolition and poor condition of some dry-stone boundary walls

The LPC Chair then visited site and after this the issues with the existing access to Kirkland Chapel were discussed by councillors at an LPC meeting held on 18.01.2023. The conclusions reached and actions proposed are recorded under item 4. and 7. of minutes of the meeting and can be summarised as follows:

4. Correspondence to review to 18 January 2023

- The existing access to Kirkland Chapel is a very congested space.
- A potential new access could be looked at by removing a walled area.
- Councillors noted that there is currently a phone box, and a notice board, owned by the parish council, a BT telegraph pole, and a Post Office post box in this area
- Councillors agreed that they would not be opposed to the phone box and PC notice board being relocated to allow for a new access as long as there is no cost to the PC
- Cllr Surman will contact Mr Gould to relate the PC's solution, it will be left to him to pursue this with CCC Highways, BT and the Post Office.

7. Parish Matters/Business

- The best long-term approach would be to have the phone box removed and the area made good. This will reduce the long-term liability of ongoing maintenance to LPC and potentially facilitate a new access to Kirkland Chapel. The removal can be achieved at no cost to LPC by an experienced contractor who will remove and recycle for resale.
- It was agreed that Cllr M Watts would instruct L Carr Contractors Ltd to conduct this work to remove the box

The LPC and Owner of Kirkland Chapel (CA26 3XY) then act in unison to get the obstructions and impediments that might otherwise inhibit the creation of the proposed new vehicular access dealt with:

- The Royal Mail Post box is relocated. (August 2023)
- The Lamplugh Parish notice board is relocated. (April 2024)
- The public telephone kiosk is taken away by BT. (June 2024)
- The buried electricity supply cable to the telephone box is made safe (March 2025)
- ENWL Wayleave Agreement with Kirkland Chapel (CA26 3XY) agreed (May 2025).
- ENWL give the Owner Kirkland Chapel a written undertaking to carry any work needed to their assets (FOC) if a dropped kerb is to be put in. (May 2025)

On 10 August 2024 the Lamplugh Parish Council wrote to the Owner of Kirkland Chapel (CA26 3XY) as follows:

We discussed Kirkland Chapel access again at our recent Parish Council Meeting in July the outcome of which will be recorded in the minutes and was as follows.

- *With the relocation of the Post Box and the LPC Noticeboard and the removal of the Telephone Box having been completed, all of which were actioned or supported by LPC to facilitate the potential provision of a new access to Kirkland Chapel, Lamplugh Parish Council conclude that our role has now come to its natural conclusion*
- *Lamplugh Parish Council confirms that it is supportive in principle of a new access provision to Kirkland Chapel, but we consider that this is now a matter that you must pursue with Cumberland Planning and Highways.*

*For and on behalf of Lamplugh Parish Council,
Ed Surman
Chair, Lamplugh Parish Council*

This action is recorded in the minutes of the LPC meeting held on 17 July 2024 at item **7. Parish Matters/Business - Kirkland Telephone Kiosk**

At this moment in time the live buried electricity supply cable for the old BT payphone kiosk remained in-situ and it was an obstruction which needed to be dug up and made safe. On 06 December 2025 an undertaking was given by the BT payphones contractor DC Transport and Engineering Limited that they would return to site early in January 2025 to address this issue. The physical obstructions to the proposed new vehicle access except for this remaining cable had all been taken away.

Cumberland Council's Planning Enforcement Officer (email dated 04.01.2024) had kindly offered to assist once all the obstructions were gone and so on 12 December 2024 the owner of Kirkland Chapel (CA26 3XY) wrote to the Planning Authority asking for formal confirmation as to whether Planning Permission is or is not required that to complete the said works.

It is a prerequisite that you must first check if you need planning permission, find a contractor who can do the work and complete a Vehicle Crossing – application to execute the work (domestic) form in any event. On this form it inter-alia and in bold it states: **PLANNING CONSENT REFERENCE** (please enclose copy)

This detailed enquiry /submission made to the planning authority comprised:

- Covering letter - 6 pages
- Relevant Events and Documents
 - Relevant Events - 32 pages
 - Appendix 1 - Plans
 - Appendix 2 - Reference Documents
 - Appendix 3 - Planning Applications & Approved Plans etc

Consultation with Cumberland councils Senior Planning Officer (Mr Nick Hayhurst) then took place as follows:

- 20 February 2025 - Site meeting No 1
 - Initial assessment
- 15 May 2025 - Site meeting No 2
 - Detailed discussion and assessment which concluded with a request for a further submission (draft letter) to enable the planning officer to discuss the proposed street works with a highways officer so that a determination could be made.

- 18 May 2025 – A 2nd submission is made by the applicant (as requested) that consisted of a draft letter (7 pages), supporting letters, 3 sketch plans and a series of photographic prints with one highlighted and noted to show the extent of walling to be removed if Option 1. and 2 are completed.
- On 30 June 2025 - a detailed written response is received from the planning officer with guidance being provided under 3 separate headings.
 - **Removal of Wall**
 - Planning permission is not needed
 - Require the consent of the Owner of the wall to remove sections of it.
 - **Dropped Kerb**
 - Approval from highways team - Apply for a dropped kerb- step by Step/ Cumberland Council
 - **Creation of Vehicular Access**
 - The removal of the wall to create a vehicular access to serve your property will require planning permission.
 - Guidance is given about the visibility splay requirements, the lack of a turning space and about the justification needed and also the general the approach to be taken when making the application.

On 25 July 2025 A quotation was obtained for the **Removal of Wall** work (Option 1.0) from an approved streetworks contractor who identified that a permit was needed. A Vehicle Crossing construction - application to execute the work (domestic) form was completed, signed and sent to street works on 28 July 2025.

On 08 August 2025 a Streetworks Claims Officer - [Linda Gurney T. 01946 506559 M. 07464918281] engaged but she was unable to process the submitted form and so on 12 August 2025 she is sent a detailed account and a folder containing the 2nd submission documents that had previously been issued to the Senior Planning Officer (Mr Nick Hayhurst)

The streetworks officer then referred to the senior compliance officer then on 14 August 2025 provided the further direction and guidance needed as follows:

Our senior compliance officer has come back to me and has said that if you wish to undertake the works in two stages then for the first stage of removing the wall section highlighted in pink (below), you will require a S171 temporary excavation permit with a fee of £407.00. This is because the front of the wall and the side section are both on part of the carriageway and footway and when removed will disturb the existing surfaces which will then require to be reinstated.



When the second stage of works commence with the removal of the remaining wall and dropping the kerbs in front of the property to create the access, you will require a S184 vehicle crossing permit at a cost of £339.00 for which planning consent would be required.

His suggestion is to undertake the works all at the same time once planning has been agreed as both sets of works would then be covered by just the one S184 vehicle crossing permit. In both instances you will also require temporary 2-way traffic lights for the works to be undertaken safely and complying with the safety at street works and road works code of practice.

Please let me know how you wish to proceed, and I hope the above information is of use in your decision. Should you have any queries regarding this, please do not hesitate to contact me.

The same day (14.08.2025) an email response is issued to the streetworks officer:

Thank-you for getting back to me.

I am content for the work to be done in two stages.

The planning application can be made afterwards because I suspect that this will take some time and that it will not be straightforward and there is no guarantee that permission for a new vehicle crossing will be granted

I would like to apply for planning permission later which (if granted) it will give me 3 years to get the works done.

I am currently trying to find an appropriately and experienced local person to appoint to make this planning application on my behalf.

I suspect that given my age and health condition that the dropped kerb and vehicle crossing work proposed may have to be done later by a new owner.

I am content to pay the S171 licence fee of £407

I have copied this correspondence to Coombe and Sharpe who provided me with the quotation.

On 21 August 2025 the S171 application was submitted, and this was approved on 08 September 2025 with the £407 fee being paid on 09 September 2025 and on 12 September 2025 the contractor identified the work start date as being 06 January 2026 and advised streetworks accordingly.

Removal of Wall (Option 1.0) - The work was undertaken as planned by the contractor and was completed on 08 January 2026 (see photograph (below))



Creation of Vehicular Access & Dropped Kerb (Option 2.0)

On 28 August 2025 R G Parkins - Consulting Civil and Structural Engineers are invited to undertake the work needed to secure the grant of planning permission. Their appointment was agreed on 29 October 2025

THE DESIGN WORK (Agreed) being:

Topographical Survey – Third Party Cost (TBC)

Traffic Survey (Undertaken during term time) – Third Party Cost (TBC)

Calculation of Safe Stopping Distances. Provision of General Arrangement Plan detailing proposed layout based on SSD.

The topographical survey drawing is dated 13 December 2025

Traffic monitoring equipment was installed roadside on 26 November 2025, but a technical issue necessitated a second install and so the monitoring results were not available to the consultant until the week commencing 15 December 2026. The results give an 85%ile speed of 28.6mph and a calculated visibility splay of 2.4m x 40m.

The appointed consultant advised :

- That this introduces some additional work outside the boundary of the property i.e., to the adjoining owners' hedges.
- Given the scale of the scheme, this does feel slightly over the top and so with this in mind the appointed consultant looked at the visibility another way, which is more befitting of the situation.
- The consultant needed to discuss this with the highways team at Cumberland Council before submitting a planning application.

An enquiry is submitted to Cumberland Highways and on Friday 20 February 2026 a Highways Officer attended site and met with the consultant whereupon the attendant officer indicated that he could not foresee a difficulty with obtaining approval for the vehicular access and dropped kerb. The alternative proposal that the consultant was suggesting was reasonable and from his perspective there appeared to be a sufficiency of visibility.

The attendant officer took photographs and was asked by the consultant to confirm (in writing) that highways team would not object to the alternative proposal i.e., it would not be rejected if it were to be submitted in a planning application for approval.

This officer said he would be attending a meeting with the highways team where he would put forward the consultant's proposal.

The consultant then received this by email from Cumberland Highways on 26 February 2025 at 08:30am:

Subject: An Action on your Highways Enquiry: E1/284001

Please do not reply to this email. This inbox is not monitored

Hi Matt Gleadow,

We've reviewed your enquiry

Thank you for your enquiry.

We understand that you have now met with a member of our team in the reported location in Kirkland to discuss the issue with the verge in this area.

As discussed in order to proceed you will now need to apply for a permit under section 184 of Highways Act to carry out any works.

You can apply for a vehicle crossing on the Cumberland Council website following the step-by-step guide.

[Apply for a dropped kerb - step by step | Cumberland Council](#)

You can track the progress at any time using this link:

[Track report progress](#)

Details of your enquiry:

Enquiry reference: EI/284001

Date Submitted: 06-February-2026

Enquiry Description: We're looking at new vehicle access for Kirkland Chapel, Kirkland, CA23 3XY. I'd like to discuss the visibility splays with the appropriate Highways Officer. Nick Hayhurst from the Planning department at Cumberland has previously spoken with someone at Highways regarding this.

Kind regards,
Cumberland Highways

The track report progress

Case status : All actions for your enquiry have now been responded to.

Action status: This action is now closed, and we have sent you an update.

In accordance the directives and guidance provided by both the planning and highways authority an application has been submitted to both departments.