

Copeland area Planning Department, Cumberland Council

For the attention of Christie M Burns

Date: 30 April 2024

Your reference: 4/23/2313/0F1

Dear Christie M Burns

CONSULTATION ON PLANNING APPLICATION

Appn: 4/23/2313/0F1
Site Address: LAND TO THE SOUTH OF DALEVIEW GARDENS, EGREMONT
Proposal: FULL PLANNING APPLICATION FOR THE RESIDENTIAL DEVELOPMENT OF 164 DWELLINGS (USE CLASS C3), VEHICLE ACCESS FROM ULDALE VIEW, LANDSCAPING, SUDS, AND ASSOCIATED INFRASTRUCTURE WORKS

Thank you for your consultation on 29 April 2024 regarding the above Planning Application.

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the revised and additional material relating to the Surface Water Drainage design and highway adoption status plan in connection with the above planning reference and our findings are detailed below. Note, these comments are in addition to my previous responses.

Local Highway Authority response:

We welcome the S38 Adoption Plan and agree with the extents shown.

Lead Local Flood Authority response:

I note the revised contributing area plan and accompanying surface water drainage calculations showing a reduced run-off rate. This is more reflective of the flow paths taking into account the site topography and layout.

I am also satisfied with the BRE365 infiltration evidence which shows good infiltration potential in most areas of the site.

Conclusion:

I can confirm that the LHA and LLFA have no objections to the proposal, subject to the following obligations and recommended conditions being included in any Notice of Consent which may be issued:

Obligations

The applicant to enter into a suitably worded legal agreement with the Council to contribute

1. £41,700 towards improvements to the footway which connects Bookwell School to Uldale View.
2. £6,600 towards Travel Plan monitoring.
3. £1,065,480 (39 x £27,320) for secondary education to provide additional accommodation capacity at Westlakes Academy.

Conditions

Within 6 months of the development (or any part thereof) opening for business, the developer shall prepare and submit to the Local Planning Authority for their approval a Travel Plan which shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes. The measures identified in the Travel Plan shall be implemented by the developer within 12 months of the development (or any part thereof) opening for business.

Reason: To aid in the delivery of sustainable transport objectives.

An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to the Local Planning Authority on the 12 month anniversary of the Travel Plan for a total of 4 years..

Reason: To aid in the delivery of sustainable transport objectives.

The carriageway, footways, footpaths, cycleways etc 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 before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Council 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.

The development shall not commence until visibility splays providing clear visibility of 43 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge, and 43m measured 1.5m from the carriageway edge at the two pedestrian crossing points and the nearside channel line of the carriageway edge have been provided.

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 shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety.

Footways shall be provided that link continuously and conveniently to the nearest existing footway. Pedestrian within and to and from the site shall be provided that is convenient to use.

Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:

- **pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;**
- **details of proposed crossings of the highway verge;**
- **retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;**
- **cleaning of site entrances and the adjacent public highway;**
- **details of proposed wheel washing facilities;**
- **the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;**
- **construction vehicle routing;**
- **the management of junctions to and crossings of the public highway and other public rights of way/footway;**

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- **Details of any proposed temporary access points (vehicular / pedestrian)**
 - **specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians [Note: deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety]**

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance shall be submitted to and approved in writing by the Local Planning Authority. (Refer to the CDDG Appendix 7 for list of documents and evidence to be submitted)

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated 23.4.24 proposing surface water discharging to ground via infiltration and to the watercourse that runs along the northern boundary of the site.

The works shall be constructed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.

Advisory Statements

Highways

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

For the accesses crossing the verge a S184 Agreement will be required and for the widened carriageway and footway construction to the north of the main access, a S278 agreement may be required as well. The applicant is advised to discuss their proposals with the council's Highways Streetworks and Adoptions department:

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

LLFA

Prior to any work commencing on the watercourse the applicant should contact the Lead Local Flood Authority on tel: 01228 221331 or email: LFRM.consent@cumbria.gov.uk to confirm if an Ordinary Watercourse Flood Defence Consent is required. If it is confirmed that consent is required it should be noted that a fee of £50 will be required and that it can take up to two months to determine.

Yours sincerely

Shamus Giles

Lead Officer - Flood & Development Management