

Update To Committee Report Item No: 5d

Application Reference Number:	4/24/2085/0B1
Application Type:	Full Planning Application
Application Address:	Land to the West of Valley View Road, Whitehaven.
Proposal	Full Planning Application for 107 dwelling houses and associated infrastructure including landscaping, open space, access, highway and drainage - Variation of drainage scheme, detached garage design and landscaping scheme approved under application ref. 4/22/2332/0F1.
Applicant	Story Homes Limited
Agent	-
Valid Date	13 th March 2024
Case Officer	Chris Harrison

Updates Following Publication of the Committee Report

Section 106 Agreement

Initially the Council had requested that a Deed of Variation be entered into in consequence of this application to amend the Public Open Space Plan. This was to provide clarity for the future i.e. ensure that the relevant requirements of the Section 106 Planning Obligation could be easily identified by any interested parties without reference to multiple planning applications etc...

Provisions were included within the initial Section 106 Planning Obligation to bind its requirements to any future planning application made and approved under Section 73 of the Town and Country Planning Act 1990 (as amended). The relevant extract from the Section 106 Planning Obligation entered as part of application ref. 4/22/2332/0F1 is contained below:

- 3.27** In the event that an application is made pursuant to Section 73 of the Act for an amendment to the Planning Permission and planning permission is granted in respect of that application references to Planning Permission in this Agreement shall include the Planning Permission and the new planning permission granted pursuant to Section 73 of the Act and this Agreement shall apply to and remain in full force in respect of that new planning permission without the need for a further agreement to be entered into pursuant to Section 106 or section 106A of the Act unless required to do so by the Council.

Following discussion with the Applicant, it has been confirmed that the company do not wish to enter a Deed of Variation of the Section 106 Planning Obligation entered as part of application ref. 4/22/2332/0F1.

Given that a Deed of Variation of the Section 106 Planning Obligation entered as part of application ref. 4/22/2332/0F1 was only desirable for clarity and not an essential requirement, it is proposed to amend the recommendation to remove the requirement for the Deed of Variation.

This is in accordance with the Section 106 Planning Obligation entered as part of application ref. 4/22/2332/0F1.

Revised SUDS Management Plan

The Applicant has prepared and submitted a revised SUDS Management Plan.

The revisions to the SUDS Management Plan includes reference to the revised plans/drawings only for clarity and the avoidance of doubt.

No other changes are proposed.

Revised Recommendation

Members approve planning permission for the development subject to the following planning conditions:

1. The development hereby permitted shall begin not later than the 16th January 2027.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan – Drawing No. 66D-STO 002

Geoenvironmental Appraisal of Land at Phase 4, Edgehill Park, Whitehaven – Report Ref. 4046-G-R024

Remediation Strategy - Report Number 4046-G-R030 dated November 2022 (ID Geoenvironmental)

Preliminary Ecological Appraisal – Edgehill Park – Phase 4 – Ref. UG415 PEA 01.

eDNA Survey Results – Ref. UG1415

Biodiversity Net Gain Design Stage Assessment – March 2024

Biodiversity Enhancement Management Plan Edgehill Park – Phase 4 – Report Ref. BEMP – March 2024

Coopers Micro Drainage Calculations - Foul Sewerage Design – 14/03/2024 Rev. K

Coopers Micro Drainage Calculations - Storm Sewer Design – 14/03/2024 Rev. L

Flood Risk Assessment Report – Report Ref. 7843FRA 8th March 2024

Proposed Drainage Layout – Drawing No. 7843 Rev. H

Flood Route Exceedance Plan - Drawing No. 7843/SK13

Proposed Cut and Fill Earthworks – Drawing No. 7843/16 Rev B

Strategy Levels, Drawing No. 7843/SK09 Rev E

Site Sections – Drawing No. 7843/SK08 Rev G

Proposed Highway Longsections Sheet 1 of 2 – Drawing No. 7843/SK03-1 Rev E

Proposed Highway Longsections Sheet 2 of 2 – Drawing No. 7843 / SK03-2 Rev E

Maintenance Inspection Plan - Drawing No. 7843/24

Construction Method Statement - 4/22/2332/OF1 – May 2024

Construction Management Plan – Drawing No. 20095.90.9.CMP Rev. A

Surface Water Management Plan Phase 1 – Drawing No. 20095.90.9.SWMPP1 Rev B

Surface Water Management Plan Phase 2 – Drawing No. 20095.90.9.SWMPP2 Rev B

Surface Water Management Plan Sub Phase 3 - Plot Build - Drawing No. PLN 20095.90.9.SWMPP Rev. A

Silt Management Reporting Plan May 2024

Hy-Tex Ultra Dewatering Bag Details

Landscape General Arrangement Plan - Drawing No. UG_1415_LAN_GA_DRW_01_P16

Soft Landscape Plan Sheet 1 of 7 - Drawing No. UG_1415_LAN_SL_DRW_01 P12

Soft Landscape Plan Sheet 2 of 7 - Drawing No. UG_1415_LAN_SL_DRW_02 P07

Soft Landscape Plan Sheet 3 of 7 - Drawing No. UG_1415_LAN_SL_DRW_03 P07

Soft Landscape Plan Sheet 4 of 7 - Drawing No. UG_1415_LAN_SL_DRW_04 P07

Soft Landscape Plan Sheet 5 of 7 - Drawing No. UG_1415_LAN_SL_DRW_05 P09

Soft Landscape Plan Sheet 6 of 7 - Drawing No. UG_1415_LAN_SL_DRW_06 P12

Soft Landscape Plan Sheet 7 of 7 - Drawing No. UG_1415_LAN_SL_DRW_07 P11

Edgehill Park Phase 4 – Landscape Supporting Notes – Drawing No.
UG_1415_LAN_LSN_DRW_01 Rev. P01

Detailed Site Layout - Drawing No. PLN 100 Rev. S

Proposed Boundary and Elevation Treatments - Drawing No. PLN 102 Rev. G

Parking Provision - Drawing No. PLN 105 Rev. H

Proposed Hard Surfaces – Drawing No. PLN 105 Rev. I

Proposed Management Plan – Drawing No. PLN 106 Rev. I

Proposed Design Street Scenes - Drawing No. VER 107 Rev. D

Detailed Site Layout (Affordable Units) Drawing No. PLN 200 Rev. B

External Works Layout Sheet 2 of 2 – Drawing No. 7843/07-2 Rev. D

SD 100 - External Plot Finishes Issue (02) - 1850mm High Open Boarded Fence
Drawing No. SD100-A-001 Rev. A, 1850mm High Open Boarded Timber Side Gate
Details Drawing No. SD100-A0-002.1 Rev. A, 1850mm High Feather Edge Board
Timber Side Gate Details Drawing No. SD100-A-002.2, 1850mm High Hit & Miss
Fence Drawing No. SD100-A-003 Rev. A, 600mm & 450mm High Trip Rail Drawing
No. SD100-A-012, 1800mm High Brick Boundary Wall Drawing No. SD100-B-001
Rev. A, 900mm High Estate Railing Drawing No. SD100-C-001.

Garage Booklet - Drawing No. GB-PLP1/1

Branford A20 M4(2) - Planning Layout Drawing No. BFD-PLP1 / Drawing No.
Planning Elevations 1/1 BFD-PLE1/1

Cooper A20 M4(2) - Planning Layout 1 (Semi) Drawing No. CPR-PLP1, Planning
Elevations 1/1 (Semi) Drawing No. CPR-PLE1/1, Planning Layout 3 (Corner)
Drawing No. CPR-PLP3, Planning Elevation 3/1 (Corner) Drawing No. CPR-PLE3/1

Dawson A20 - Planning Layout 1 Drawing No. DWN-PLP1, Planning Elevations 1/1
Drawing No. DWN-PLE1/1, Planning Elevations 1/2 Drawing No. DWN-PLE1/2

Fulford A20 M4(2) - Planning Layout 1 Drawing No. FFD-PLP1, Planning Elevations
1/1 Drawing No. FFD-PLE1/1

Grayson - Planning Layout Drawing No. GRN-PLP1, Planning Elevation 1/1 Drawing
No. GRN-PLE1/1, Planning Elevation 1/2 Drawing No. GRN-PLE1/2

Harper (A20) - Planning Layout 1 Drawing No. HPR-PLP1, Planning Elevations 1/1
Drawing No. HPR-PLE1/1, Planning Elevations 1/2 Drawing No. HPR-PLE1/2

Hewson (A20) - Planning Layout 1 Drawing No. HWN-PLP1, Planning Elevations 1/1
Drawing No, HWN-PLE1/1, Planning Elevations 1/2 Drawing No. HWN-PLE1/2

Masterton (A20) - Planning Layout 1 Drawing No. MTN-PLP1, Planning Elevations
1/1 Drawing No. MTN-PLE1/1, Drawing No. Planning Elevations 1/2 MTN-PLE1/2

Sanderson (A20) - Planning Layout 1 Drawing No. SAN-PLP1, Planning Elevations
1/1 Drawing No. SAN-PLE1/1, Planning Elevations 1/2 Drawing No. SAN-PLE1/2

Spencer (A20) - Planning Layout 1 Drawing No. SPR-PLP1, Planning Elevations
Drawing No. 1/1 SPR-PLE1/1, Planning Elevations 1/2 Drawing No. SPR-PLE1/2

Wexford A20 M4(2) - Planning Layout 1 Drawing No. WXD-PLP1, Planning Elevation
1/1 Drawing No. WXD-PLE1/1, Planning Layout 2 Drawing No. WXD-PLP2, Planning
Elevation 2/1 Drawing No. WXD-PLE2/1

Wexford CS20 M4(2) - Planning Layout 1 Drawing No. WXD-PLP1, Planning
Elevation 1/1 Drawing No. WXD-PLE1/1

Edgehill Phase 4 Material Samples

Highway Construction Details Sheet 1 of 2 - Drawing Number 7843 /05-1 Rev A
(Coopers)

Highway Construction Details Sheet 2 of 2 - Drawing Number 7843 / 05-2 (Coopers)

Southern Link Plan - Drawing Number 7843/SK14 (Story Homes)

Arboricultural Impact Assessment (Urban Green) – Document Reference UG1415
Rev. 03

S278 Plan - Drawing Number 20095.90.9.S278P Rev T2 (Story Homes)

TPS Travel Plan dated August 2023 (TPS) – Document Reference:
P0646H_20230807_Edgehill Park Phase 4 Travel Plan Revision 3

EV Charging Plan - Drawing Number 20095.90.9.EVCP Rev P2

SuDS Management Plan dated 29th May 2024 (Coopers) – Document Reference: 7843 SMP_Issue 4

Trim Trail Details - Drawing Number SL000105.90.9.TT (Story Homes)

Surface Water Catchment Areas – Drawing Number 7843/14 Rev. A

Surface Water Attenuation and Outfall Details - Drawing Number 7843/15 Rev. E

General Arrangement Plan - Drawing Number UG_1415_LAN_GA_DRW_01 Rev. P16

Reason

For the avoidance of doubt and in the interests of proper planning.

Pre-Commencement Planning Conditions

3. No development shall commence until any remediation works and/or mitigation measures to address the mine entry and shallow coal mining works, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

This is in order to ensure the safety and stability of the development, in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

Construction Management

4. Prior to the commencement of the movement of earth, the highway drains shall be protected and silt traps and other silt management techniques shall be installed in accordance with the approved details.

The approved details shall be maintained for the entirety of the construction period.

Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2021.

Pre-Occupation Conditions

Ground Conditions

5. Prior to the occupation of the first dwelling hereby approved a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the local planning authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by the recorded mine entry.

Reason

This is in order to ensure the safety and stability of the development, in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

Highways

6. No dwelling hereby approved shall be occupied until the vehicular access, turning areas and parking spaces required to serve that dwelling have been constructed in accordance with the approved plans to a minimum of basecourse level.

The vehicular access, turning areas and parking spaces shall be retained and remain capable of use at all times thereafter and shall not be removed or altered.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

Drainage

7. No dwelling hereby approved shall be occupied until the approved scheme of surface water drainage infrastructure to serve that dwelling has been completed and brought into operational use.

Once completed and brought into operational use, the surface water drainage infrastructure shall be retained operational for the lifetime of the development.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with the provisions of Policy ST1 and ENV1 of the Copeland Local Plan 2013 – 2028.

Other Stage Planning Conditions

Highways

8. Prior to the occupation of the 50th dwelling hereby approved the scheme to improve the link from High House to Gameriggs Road shall be implemented and made available for use.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

9. Prior to the occupation of the 50th dwelling hereby approved, the scheme of traffic calming measures to be delivered on High Road, Whitehaven shall be implemented and brought into use.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

10. Prior to the occupation of the 50th dwelling hereby approved the children's play space shall be constructed and brought into use.

The area shall be maintained for use as a children's play space for the lifetime of the development.

Reason

To ensure the provision of sufficient provision of children's play space within the development for use by residents in accordance with the provisions of Policy SS5 and Policy DM12 of the Copeland Local Plan 2013-2028

11. The measures identified in the approved Travel Plan shall be implemented within 12 months of the occupation of the first dwelling hereby approved.

Reason

To aid in the delivery of sustainable transport objectives in accordance with Policy T1 of the Copeland Local Plan 2013 – 2028.

Other Planning Conditions

Drainage

12. The sustainable drainage scheme shall be completed, maintained and managed in accordance with the approved details .

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Highways

13. Footways shall be provided that link continuously and conveniently to the nearest existing footway.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

14. An annual report reviewing the effectiveness of the approved Travel Plan and including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to the local planning authority for approval.

This annual Travel Plan monitoring report shall be submitted for review to the local highway authority for a period of 5 years on the anniversary of the occupation of the 50th dwelling hereby approved.

Reason

To aid in the delivery of sustainable transport objectives in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

Landscaping/Biodiversity

15. All hard and soft landscape works are to be carried out in accordance with the approved details in the first planting season following completion of the development.

Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

16. The development here by approved shall not proceed except in accordance with the recommendations outlined in Preliminary Ecological Appraisal – Edgehill Park – Phase 4 – Ref. UG415 PEA 01.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

17. The approved landscaping scheme shall be managed in accordance with the provisions of Biodiversity Enhancement Management Plan Edgehill Park – Phase 4 – Report Ref. BEMP – March 2024.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

Arboriculture

18. Arboricultural Impact Assessment (Urban Green) – Document Reference UG1415 Rev. 03 shall be implemented as approved for the duration of the construction period.

Reason

To ensure the protection and retention of important landscape features in accordance with the provisions of Policy DM28 of the Copeland Local Plan 2013 – 2028.

Ground Conditions

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Construction Management

20. The approved Construction Method Statement - 4/22/2332/OF1 – May 2024 shall be adhered to throughout the construction period.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

21. No work for the construction of these developments, including demolition, shall take place on the site, except between the hours:

07:30 - 18.00 Monday to Friday; and

08.00 - 13.00 on Saturdays.

No work should be carried out on Sundays or officially recognised public holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.