Outline Planning Application No: 11/0927
Proposed Erection of Fifty-Five Dwellings and Associated Infrastructure and Provision of a Haul Road for Construction Traffic Accessed from Carleton Hill Road, Land at Carleton Meadows, Penrith
Persimmon Homes

Head of Planning Services

Site Plan:
1 **Purpose of Report**

1.1 This application is before Members as this a major application arousing significant public interest.

2 **Recommendation:**

It is recommended that, **subject to** the applicant first entering into a Section 106 Agreement in respect of (i) the provision of 30% affordable housing, the details of unit types and tenure to be agreed with the Council, and (ii) payment of a commuted sum to provide for the educational needs that will result from the development (together with the payment of the Council’s legal costs relating to that Section 106 Agreement) to the absolute satisfaction of the Head of Planning Services and the Director of Corporate and Legal Services, and **subject to** satisfactory consultation responses from Natural England, the County Archaeologist, United Utilities, the Environment Agency and the Civic Society, the Head of Planning Services be authorized to grant planning permission subject to the following conditions:

1) The development permitted shall be begun before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of reserved matters to be approved, whichever is the later.

2) Application for approval of all reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

3) Prior to the submission of any reserved matters applications on the site a Masterplan shall be submitted in respect of this site and the adjacent identified land, (application ref 08/0298) and shall be approved in writing by the Local Planning Authority. The Masterplan shall include the design principles for the development of both sites and any reserved matters application will be designed having regard to that Masterplan. The Masterplan will incorporate:

   - Specific character areas incorporating detailed design requirements;
   - a highway hierarchy and design considerations including the alignment of any main roads;
   - a greenspace and landscape structure;
   - housing, greenspace and community facilities layout including parking arrangements and garaging;
   - details of all building and hard surfacing materials;
   - details of all boundary treatments.

Each reserved matters application thereafter shall be submitted in accordance with the approved Masterplan unless otherwise agreed in writing by the Local Planning Authority.

4) Provision shall be made for the closure of the development hereby approved to access/egress to and from Carleton Meadows to the passage of all but pedestrian, cycle and bus movements. This closure shall occur immediately upon the availability of the road network on the development of the adjoining land becoming available for public use by motor vehicles Details of how this closure is to be effected shall be provided to and agreed in writing by the Local
Planning Authority.

5) No development shall commence until detailed drawings showing the
development and means of access thereto have been submitted to the Local
Planning Authority for approval. Any such approved means of access shall be
completed in accordance with the approved details before the development is
occupied.

6) 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 Cumbria Design Guide. Any works so approved shall be constructed in
accordance to a programme of work to be agreed with the Local Planning
Authority in consultation with the Local Highway Authority.

7) Full details of the surface water drainage system shall be submitted to the
Local Planning Authority for approval prior to development being commenced.
Any approved works shall be implemented prior to the development being
completed and shall be maintained thereafter.

8) That prior to the commencement of development on the area allocated for the
erection of the fifty-five dwellings hereby approved, the developer shall
substantially construct the proposed haul road for construction traffic between
the aforementioned site and Carleton Hill Road, in accordance with a scheme
and specification to be first agreed in writing with the Council as Planning
Authority. The scheme shall include full layout and specification of access
arrangements, including surfacing, fencing and gating, together with the
protection of the access to the public footpath adjacent to the public road
access position. Thereafter, the haul road and associated works shall be
constructed and maintained for the construction phase of the development,
strictly in accordance with the approved details. Further, construction traffic
shall be routed from the A66 trunk road via the A686 Carleton Avenue -
U3489, Carlton Hill and the purpose built construction haul road. The
developer shall submit details for the signing of the constructional traffic route
and shall provide hardstandings so all construction related traffic can be
accommodated within the site clear of the highway. In the event of the route
not being the purpose built route being adopted, the levels of HGV traffic shall
not average more than five rigid and two articulated HGVs in any week and be
restricted to 9am to 3pm Mondays to Fridays inclusive. The access and
parking/turning requirements shall be substantially met before any building
work commences on site so that constructional traffic is accommodated in
accordance with this Condition.

9) Before any development takes place, a plan shall be submitted for the prior
approval of the Local Planning Authority reserving adequate land for the
parking of vehicles engaged in construction operations associated with the
development hereby approved together with any soil and/or overburden
storage mounding on the site or adjacent land, and that land, including
vehicular access thereto, shall be used or kept available for these purposes at
all times until the completion of the construction works.
10) Prior to the commencement of development a Construction Management Plan detailing the expected number of vehicles (including LGV and HGVs), construction vehicle routing, signage, wheel wash facilities, times of operation shall be submitted and approved by the Local Planning Authority. The Construction Management Plan shall be implemented during all construction periods unless otherwise agreed in writing with the Local Planning Authority.

11) No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved by the Local Planning Authority. The written scheme shall include the following components:

   1) An archaeological evaluation to be undertaken in accordance with the agreed written scheme of investigation;
   2) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation and will be in accordance with the agreed written scheme of evaluation.

12) Where appropriate, an archaeological post-exavcation assessment and analysis, preparation of a site archive ready for deposition at a store, completion of an archive report, and publication of the results in a suitable journal as approved beforehand by the Local Planning Authority shall be carried out within two years of the commencement of the approved development or otherwise agreed in writing with the Local Planning Authority.

13) No development approved by this permission shall be commenced until a scheme for the improvement of the existing foul sewerage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the scheme for the improvement of the existing sewage system provided by Penrith Wastewater Treatment Work’s AMP5 supply and demand scheme has been completed.

14) The development hereby permitted shall not be commenced until such time as a scheme for the management of surface water runoff has been submitted to, and approved in writing by, the Local Planning Authority.

   The scheme shall include:

   - A location plan that includes geographical features, street names and identifies the catchment, watercourse or other bodies of water in the vicinity.
   - A plan of the site showing the existing site, development proposals and identification of other structures (eg embankments which may influence local flood flow overland or in any watercourses (eg culverts) present on the site.
   - Site levels both existing and proposed. Reference to Ordnance Datum may be required where details of context to the site to its surroundings are needed.
   - The applicant should submit proposals for surface water management that aims to not increase, and where practicable reduce the rate of runoff from the site as a result of the development (in accordance with sustainable drainage principles, and the Local Authority’s published SFRA).
   - Information about the surface water disposal measures already in place.
and their state of maintenance.

- An assessment of the volume of surface water runoff likely to be generated from the proposed development.
- Allowance in design for how the increased frequency and intensity of rainfall that is predicted as a result of climate change will affect the proposal (see Annex B of PPS25).
- Information about other potential sources of flooding, if any, that may affect the site eg streams, surface water run off, sewers, groundwater, reservoirs, canals, and other artificial sources or any combination of these; including details on how these sources of flooding will be managed safely within the development proposal.
- Confirmation as to whether Environment Agency consent is needed for any aspect of the work, and whether this has been applied for or not.
- The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reasons**

1) In order to comply with the Town and Country Planning Act 1990.
2) In order to comply with the Town and Country Planning Act 1990.
3) To ensure a comprehensive approach to the development of this site is achieved in the interests of the proper planning of the area.
4) In the interests of the long term amenity of residents of the area served by this road.
5) In the interests of highway safety.
6) To ensure a minimum standard of construction in the interests of highway safety.
7) In the interests of highway safety and environmental management.
8) To ensure that adequate provision is made for accessing the site by construction traffic and in the interests of road and pedestrian safety. To support Local Transport Policies LD8.
9) The carrying out of the development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.
10) The carrying out of the development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.
11) 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 the examination and recording of such remains.
12) To ensure that a permanent and accessible record by the public is made of the archaeological remains that have been disturbed by the development.
13) To ensure a satisfactory standard of sewage treatment and disposal is provided. The sewage treatment works is overloaded and the altered discharge is likely to cause contravention of the discharge consent if an increase in discharge loading is permitted.
14) To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
3 Report Details

3.1 Proposed Development:

3.1.1 The application seeks outline planning permission for the erection of fifty-five dwellings on an area of some 1.83 ha (4.5 acres) and the provision of a haul for construction traffic accessing the site from Carleton Hill Road. All matters of detail are reserved for subsequent approval. The proposed haul road for construction traffic runs through open fieldscape some 90 metres to the north of the backs of residential properties to its junction with Carleton Hill Road.

3.1.2 It should be noted that this application is a resubmission of a previous outline planning application for the erection of fifty-five dwellings (with no haul road for construction traffic) which was refused planning permission on 21 July 2011 on the following ground:

*The use of the existing road network serving the existing established residential area for construction traffic associated with the development would adversely affect the residential amenity of existing residents to an unacceptable degree, by virtue of the increased vehicular activity that would be generated over the build period of the development, when an alternative temporary construction access could be reasonably provided.*

3.1.3 The originally refused outline planning application (08/0290) was initially submitted as a full application showing all details. At the same time an outline application for a significantly larger area of housing development on the enclosing land was also received from the same applicants and remains current (08/0291). This larger area of land, amounting to a further 12.25 acres, is bounded by the change in level where the more level land gives way to the uphill rise to Beacon Edge running from Cold Springs (nursing home) to a point generally opposite Carleton Hill Farm, off Carleton Hill road. For much of its length this boundary encompasses two public footpaths and in particular an attractive ‘green lane’ running out into the countryside from the Scaws housing estate. Although submitted in outline, the application did show details of layout and house design. In addition a further 9 acres of land, fronting Carleton Hill Road is also subject of a full planning application for housing development) by Cumbrian Homes and which also remains current (08/0295).

3.1.4 It was considered that a Masterplan approach to the development of the area, which amounts in total to some 25.8 acres, was the preferred vehicle for the consideration of the development in order to provide a consistent approach in terms of design, open space provision, landscaping and the provision of community facilities. As a consequence of the manner in which the applications had been submitted, outline and full, the consideration of the details shown on the full application for the fifty-five dwellings would then be regarded as establishing the design principles for the whole site. However the details for all three applications, supported by a Masterplan prepared by Persimmon Homes, and in respect of house design, community facilities, layout and landscaping, drainage, together with the impact upon the character of the public footpaths were not considered satisfactory, being of an overly complicated layout and/or using elevation treatments and materials which were not characteristic of Penrith. In order to resolve this issue and progress the previously refused application the
applicants chose to revert the full application for fifty-five dwellings to an outline proposal, with all details reserved for subsequent approval. In the interim concerns about the extent of the greater area of land, particularly its extension along Carleton Hill Road, the lack of any resolution to design and layout, access and landscape issues, including, importantly, the treatment of the ‘green lane’ public footpath and an area of wetland adjacent to it, the provision of community facilities and finally the desire to provide a link, or links, to the existing housing social, community and shopping areas of the town, has resulted in the consideration of the larger site being held in abeyance for further consideration.

3.1.5 The Strategic Masterplan for Penrith was published in October 2011 and identifies the application site as within a potential larger development area extending to that applied for by the same applicant in outline under 08/0291. The Masterplan also identifies the Cumbrian Homes site (08/0295) on Carleton Hill Road as suitable for a lower density residential development.

3.2 Description of the Site and the Surroundings:

3.2.1 The site is presently open agricultural land to the northwest of The Parklands, off the Carleton housing development. The land is generally reasonably level rising slightly away from the existing housing development, but is elevated above the greater area of that development. The land is located on the edge of a large area of housing, with the older parts of Penrith’s Scaws and “New Streets” area to the north and the more recent developments of Carleton and Carleton Heights to the west and south. To the north east, east and southeast land use is primarily open countryside, rising up to Beacon Edge, with occasional sporadic built development. The site is presently laid to grass, as is the rest of the area and divided into a field system defined by a mix, generally, of post and wire fencing and intermittent hedgerow planting. The landform behind the site then gives way to the rise in ground level up to the Beacon area with its mix of intermittent housing fields and the conifer plantation.

3.3 Relevant Planning History:

3.3.1 In September 2001 planning consent, ref 01/0619, for housing development on the site was refused for the following reason:

“The development of the site would be contrary to Policy NE1 Development in the Countryside, of the Eden Local Plan in that the site would result in the outward encroachment of the built area of Penrith beyond its presently clearly defined local boundary. No need is established for the development sufficient to outweigh the environmental costs of the proposed development.”

An appeal against this decision was dismissed in 2002.

3.3.2 Planning application ref 03/0697 was refused consent in September 2005 for the following reason:

“The Council at present has a significant oversupply of housing amounting to an excess of 326 units for the District taking the annual average housing quota provision in Policy H17 of the Proposed Changes Edition of the Structure Plan 2004. To address this imbalance the Council, through Policy H1 of its Revised Housing Policies (2004) will only permit housing schemes which are considered to be exceptional in accordance with the provisions of regional and emerging,
strategic and local policy guidance. This scheme does not provide any exceptional justification to enable it to be permitted. If approved the development would compromise the Council’s ability to strategically plan its housing provision. The proposed scheme is therefore contrary to Policy UR7 of Regional Planning Guidance 13 and emerging Structure Plan Policy H17."

An appeal was made against this refusal but was withdrawn by the applicants before determination.

3.3.3 In December 2006 application 06/0794 seeking full planning permission for residential development was refused for the following reason:

“The proposal is considered to be contrary to Policy ST3 of the adopted Cumbria and Lake District Joint Structure Plan (Adopted April 2006) particularly in respect of the sequential test set out in clause 1, the requirement that sites are made accessible by public transport, walking or cycling in clause 2, clause 7 to “ensure high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of the townscape and landscape” and clause 8 to “ensure development makes efficient use of, and is within, infrastructure, community and service constraints, or that these can be satisfactorily overcome through planned improvements or at the developers expense without adverse effect on the environment”.

3.3.4 On 21 July 2011 outline planning application 08/0290 for the erection of fifty-five dwellings (with no haul road for construction traffic) was refused on the following ground:

‘The use of the existing road network serving the existing established residential area for construction traffic associated with the development would adversely affect the residential amenity of existing residents to an unacceptable degree, by virtue of the increased vehicular activity that would be generated over the build period of the development, when an alternative temporary construction access could be reasonably provided’.

This refusal is now the subject of a current Planning Appeal.

3.3.5 08/0291: Outline application for residential development on 12.25 acres bounding the current site. This remains a current application being held in abeyance.

3.4 Method of Publicity and Summary of Representations:

3.4.1 The application was advertised in the press and by the posting of site notices. Previous objectors and adjoining owners were consulted by letter, together with some twenty-four additional properties which back onto the fields where the haul road is to be located. To date nine letters have been received objecting on the following grounds:

- Many vacant properties in the area and no need for additional housing on this attractive green field area.

- Site is inappropriate for development at this scale. Any new development should be on smaller sites.

- The proposal will lead to the development of the larger area to the rear.
The haul road would cause unacceptable noise and visual intrusion, primarily affecting the residents in Carleton Meadows and Carleton Fields.

The haul road would involve an unacceptable environmental impact adversely affecting fauna and flora and historic hedgerows.

The haul road entrance along Carleton Hill Road is incapable of accommodating the necessary traffic and is too narrow for wide or heavy commercial vehicles.

The haul road should be taken from Beacon Edge, possibly via Cold Springs.

The access from Parklands, Parklands View and Carleton Meadows is narrow with on-street parking and steeply graded, dangerous in winter and is unsuitable to accommodate additional vehicular traffic.

Work on site should be restricted to prevent no weekend, early morning or evening working.

Concerns over the detailed site layout and impact on the rear of existing housing.

Surface water drainage is a problem in the area.

3.5 Civic Society:

3.5.1 Response will be reported verbally to the Committee, but no objection anticipated in the light of their previous observations:

We agree that this area is probably the most suitable to place such a scheme (refers to this application and two other proposals), at least in the early stages of the expansion of Penrith (if indeed that were desirable which we doubt). We do have some remaining concerns however:

The use of Parklands for access during the earlier phases of development puts pressure on that road that it was never designed for, and indeed the intention to use it for bus traffic when the development is complete must also be questioned. It may be that the road could be improved, and the Highway Authority should comment on that. Once later phases of the scheme are completed and the top of Parklands road is closed to all but cycles and buses, there is bound to be a public demand to continue access to the centre of Penrith from Carleton Heights through there, it is so much shorter than the route out to Carleton Hill Road and back into Penrith from the eastern boundary.

3.6 Consultation Responses:

3.6.1 Highways Authority: No objection subject to conditions (including the requirement to use the haul road for construction traffic) observing:

- The applicant has provided details of the route proposed which will be signed and the likely traffic levels; the proposed route from the A66 Kemplay Bank roundabout (trunk road network) is the A686 Carleton Avenue (30mph), thence Carlton Road - Oak road - The Parklands/Carleton Meadows, all these are residential roads, 20mph speed restricted with traffic calming features. These unclassified roads are not constructed to take HGV loadings so it is proposed
that if this route was to be used then the Developer be required to enter into a Highways Act 1980, Section 59 Agreement to make good any damage caused during the period of use by construction traffic.

- In considering the access for construction traffic through the residential area, the Applicant has suggested that HGV construction traffic is likely to average one rigid HGV each weekday and one and a half artic HGVs per week, restricted to the hours 9am to 3pm Mondays to Fridays (to avoid school muster times/peak traffic periods) over a construction period of two-three years. There is an offer to put in a traffic signalled arrangement as it is accepted that given some of the gradient/curvature of The Parklands/Carleton Meadows lorries will occupy more than half road width at certain locations, but given the aforementioned traffic levels and existing traffic is light outwith the peak hours, the view of this Authority is that a traffic signalled arrangement would be more problematic for residents than a natural ‘give and take’ system.

- The application also proposes a haul route which would be constructed off Carleton Hill Road to the east of the development site roughly following the course of a projected distributor road should further land in the Applicant’s control be allocated to Housing in the future. There is an Outline Application on deposit for this, but this has not been determined. It is the view of this Authority that such a road is essential for any future development and it would be preferred if this could be developed for this development, as then construction traffic would not be passing through some 0.75 km of residential roads.

- It should also be noted this Authority generally looks for cul-de-sac layouts to be minor access roads serving up to one hundred properties, there is a strong case for limiting the proposed fifty-five houses to say thirty-nine {+ existing 61 = 100}; which would provide the developer with funding to develop the haul road as the future distributor road but this would really require a greater degree of certainty about future housing development.

- Given the foregoing, the Highways Authority cannot support a refusal of this application, particularly as it is Outline, but we do have concerns and to this end append conditions we would wish to see attached to any Consent. We would wish the Planning Authority to give early consideration to the issue of the wider development of this area so the whole issue of construction related traffic can be resolved in early course.

3.6.2 County Council Spatial Planning: Response will be reported verbally to the Committee, but no objection anticipated in the light of their previous observations:

*The initial objection to the development related to matters of design and detail which have been resolved by the conversion of the application to outline. The related transport and highway matters together with the educational issues remain relevant but can be resolved by condition/Section 106 Agreement. The County Council has also identified a shortage of school places within Penrith and seeks a financial contribution to the provision of such places from the developer. There is no strategic objection to the development in principle.*
3.6.3 Environment Agency: Response will be reported verbally to the Committee, but no objection anticipated in the light of their previous observations:

_No objection subject to conditions_

3.6.4 Natural England: Response will be reported verbally to the Committee, but no fundamental objection anticipated in the light of their previous observations:

_Sconsiders that the Environmental Statement (for the whole of the site ie the 16.75 acres of total development by this applicant) does not contain sufficient information to fully assess the potential impacts of the development and its drainage impact upon the water environment against conservation objectives in respect of: water resources; water quality; chemical/fuel spills during construction and run off from roofs/cars._

3.6.5 County Archaeologist: Response will be reported verbally to the Committee, but no objection anticipated in the light of their previous observations:

_Considers that the archaeological evaluation submitted with the proposal to be incomplete and so requires archaeological evaluation/recording programme._

3.6.6 United Utilities: Response will be reported verbally to the Committee, but no objection anticipated in the light of their previous observations:

_No objection in principle_

3.7 **Main Planning Issues Raised:**

3.7.1 The development raises two issues:

1. The principle of the use of the land for housing development.
2. The access to the site for construction traffic.

3.8 **Planning Assessment:**

3.8.1 On the first issue, that is the principle of the use of the land for housing development, the site is a significant incursion into the open countryside beyond the current Carleton housing development and is part of a much larger area of land on which residential development is proposed. The total number of dwellings this larger scheme would represent is in the order of 660 units and is now identified within the Strategic Masterplan for Penrith (October 2011) as ‘Potential residential development on a significant scale linking into existing urban Area’.

3.8.2 Between 2001 and 2006 three planning applications were made for housing development which included this site. These applications were refused because they represented an outward encroachment of building into the countryside and conflicted with, at the time, a significant over supply of housing.

3.8.3 However in the subsequent period it is established, through the Regional Spatial Strategy and later the Core Strategy, which requires some 60% of new housing to be located in Penrith, that to meet the needs of Penrith some 2580 houses need to be built over the period 2010 - 2025. In addition, 30% of this housing should be affordable to local people. In the last year 30 dwellings were completed, none of
which were affordable. The Council is therefore falling well below its target levels for meeting housing need. In the District as a whole there is a deficit, from 2003, of some 850 housing units in terms of the number that should have been achieved by now.

3.8.4 In order to provide for the required number of dwellings the Core Strategy addressed the lack of suitably available brownfield land in Penrith and the necessity to seek strategic greenfield sites on the outskirts of the town. This area of Penrith is one such location now identified within the Penrith Masterplan and which is considered necessary to achieve targets as part of a spread of building sites both to the north and the east. The work undertaken through the Penrith Masterplan now forms the evidence base for the forthcoming Housing DPD. In all documents, the land is identified as an area of urban expansion, it being on the periphery of the existing built area and so well related to the town, and, importantly is available for early commencement of development.

3.8.5 This site forms a logical urban extension with no landscape or nature designations and satisfies any sequential test that may be applied. In respect of the Council’s previous concerns about the encroachment of development into the open countryside and its landscape impact, the Penrith Masterplan work commissioned by the Council assesses both the greater area of land containing this site as being low in landscape impact being contained within the visual envelope of the town. The Housing DPD documents will address a current, and significant, policy vacuum in respect of housing provision under which the management of development is now being undertaken. Unfortunately the Housing DPD will not be available until later in the year. At present development opportunities on brownfield sites, although limited, can be accommodated within local policy provision. However these sites, because of their nature, cannot provide for the quantity of new housing required and importantly their development presents difficulties in providing affordable housing as a result, generally, of the nature of the previous land uses. These frequently require significant ground contamination surveys and decontamination works, together with a variety of other constraints which impact upon the viability of the site. In terms of financial viability such brownfield site consequently fall well short of providing for a 30% provision of affordable housing.

3.8.6 It is clear therefore that in recent years the Council has concluded that, in looking at housing needs and opportunities as a whole, this site, and other areas of undeveloped land, is required to meet those needs. The identification of the sites on the outskirts of the town has been a balanced exercise of identifying development opportunities with limited transport and landscape impact, particularly where any impact could be ameliorated, in order to provide a package of land provision and a strategy for the Council to effectively plan its future housing provision. In the light of the adopted Core Strategy and the recently published Penrith Masterplan, are seen to establish the principle of the development of this land, in addition to considering housing development around the town, and also taking into account the significant deficit in housing provision in Penrith it is considered appropriate in principle to now consider the development of this site.

3.8.7 This application has been submitted ahead of the remaining land because it can be accessed from the existing Carleton estate using the Parklands, an access that
according to the County Council as Highway Authority is capable of serving up to an additional fifty-five dwellings. In terms of the impact on existing housing in the area there was a consistent objection from local residents raised to the traffic impacts resultant from the development, the road being on a hillside, with bends and parked cars. However the road is accepted by the Highway Authority as being able to serve the fifty-five dwellings. Following the eventual implementation of the larger site surrounding, the developer proposes that the road “Carleton Meadows” serving Carleton Fields, Parklands and Carleton Derrick Drive would then be appropriate for use only as a bus route/cycle way together with pedestrian access. This is accepted as an appropriate course and may therefore be controlled by condition.

3.8.8 The site, and the greater area of potential development beyond it would be, in respect of vehicular traffic, served by its own route onto Carleton Hill Road with no vehicular traffic other than the aforementioned pedestrians, cycles and buses being allowed between this larger area and the existing housing development at Carleton Heights. At the conclusion of the whole development the road will therefore not be available for use by cars as a secondary means of access onto or off the larger development area. It is considered that this arrangement does provide, at least for this site, for some degree of inclusiveness between the site and the town making the development feel part of Penrith rather than simply being an ‘add on’ extension. At the end of the construction period therefore the Parklands area will return to its present circumstances as regards vehicular use.

3.8.9 The second major contentious issue which was the subject of a ground for refusal on the previous outline application (08/0290) was the access to the site for construction traffic involved in the building of the 55 houses. The developer now has overcome this issue by the provision of a haul road, some 90 metre remote from the rear of residential properties at Carleton with direct access onto Castle Hill Road.

3.8.10 The Highway Authority has maintained a view that the estate access is capable of accommodating the development of the fifty-five dwellings proposed and does not seek to restrict development to a lower scale, but that the use of roads in residential areas for construction traffic should only be considered, in the interests of highway safety, if there are no other viable alternative access arrangements. In this instance the developer has demonstrated a suitable alternative access arrangement as part of the application.

3.8.11 The proposal provides for 30% affordable housing. In addition, the previous application was required to provide for a sum in the order of £158 - £166,000 for the County Council as a contribution to the educational needs generated by the development. In terms of the actual activity generated by construction traffic the applicants advise that for a site yielding approximately eighteen houses per year, which is the current expectation, the daily movements during the construction period and using the haul road would be:

- Staff - between fifteen and twenty persons a day travelling in cars and light vans.
- Working day - 8 am to 5 pm.
Deliveries - eight per day typically comprising one articulated lorry, three rigid lorries (32t mgw [maximum gross weight]), four smaller lorries/large vans (7.7t mgw). Deliveries would typically occur between 9 am and 3 pm.

Construction period - three years.

3.8.12 The point of access is appropriate for the use of the site when developed and there is therefore no sustainable reason to object to the use of the existing roadway for additional residential traffic in the medium term. The previous issue raised by local residents in respect of the use of the estate road for construction traffic throughout the build period of the site is however a legitimate concern and is addressed by the introduction of the haul road from Castle Hill Road.

3.8.13 In addition to the affordable housing requirement the County Council has identified a need to provide, in the short term, for additional school places in the town as a whole. In terms of the overall expansion of Penrith discussions have taken place with the developer over the provision of a new primary school. In respect of this particular development the view is taken that the housing would generate an additional need for 11 primary and 5/6 secondary school places to be provided in existing schools. Using DFE guidelines this would require a contribution from the developers of in the order of £158,000 to £166,000. Whilst a recent decision not to impose such a requirement on the developer was taken in that case it is considered that the scale of the development of around 650 houses in total, with the current application being the ‘first phase’, is on its own sufficient reason to adopt a different approach. The applicants have accepted the need for this infrastructure provision and have confirmed that they will enter into negotiation as to the provision of such monies, the terms of its delivery and the provision of a school in future phases of development through a Section 106 Agreement.

3.8.14 On the matter of Natural England’s response this relates to the whole area, that is, this outline and that for the greater area of land and the impact of the development as a whole on the River Eamont. In respect of the application under consideration surface water connections will be made to the existing drainage network in the area with flows being maintained at existing greenfield run off rates. The greater site area will however need further detailed consideration of its drainage disposal arrangements. It is considered therefore that this arrangement will not impact upon the River Eamont. In respect of the hedgerow running through the site this can be incorporated and enhanced within the landscape scheme for the site which will form part of the reserved matters submission. It is not considered therefore that the development will have any significant impact upon any ecological interests since the water quality issues will not be significantly affected by the development which will utilise existing drainage systems at no more, in the case of surface water, existing runoff rates.

4 Policy Framework

4.1 The Council has four corporate priorities which are:

- Housing
- Quality Environment
- Economic Vitality
- Quality Council
4.2 Relevant Local Plan Policies:

4.2.1 Eden Core Strategy:
CS1 Sustainable Development Principles
CS2 Locational Strategy
CS5 Transport and Accessibility
CS6 Developer Contributions
CS7 Principles for Housing
CS8 Making Efficient Use of Land
CS10 Affordable Housing

4.2.2 Penrith Strategic Masterplan

5. Implications

5.1 Legal
5.1.1 There are none arising directly from this report.

5.2 Financial
5.2.1 There are none arising directly from this report.
5.2.2 In adopting the Corporate Plan 2011-14, the Council confirmed its use of its stated Resource Allocation Categories. These help the Council prioritise the allocation of funding to reflect corporate priorities. The financial implications of any proposal must be consistent with this.

This service falls within category B for resource allocation purposes. This category includes services which are a corporate priority and where modest but consistent improvement is required and Investment would be made either:

i) to make modest improvement to existing performance; or

ii) on an ‘invest to save’ basis to improve performance related to a business case; or

iii) where new legislation/standards are imposed.

5.3 Equality and Diversity
5.3.1 There are none arising directly from this report.
5.3.2 The Council has to have regard to the elimination of unlawful discrimination and harassment and the promotion of equality under the Equality Act 2010 and related statutes.

5.4 Environmental
5.4.1 There are none arising directly from this report.
5.4.2 The Council has to have due regard to conserving bio-diversity under the Natural Environment and Rural Communities Act 2006.

5.5 Crime and Disorder
5.5.1 There are none arising directly from this report.
5.5.2 Under the Crime and Disorder Act 1998 the Council has to have regard to the need to reduce crime and disorder in exercising any of its functions.

5.6 Children

5.6.1 There are none arising directly from this report.

5.6.2 Under the Children Act 2004 the Council has to have regard to the need to safeguard and promote the welfare of children in the exercise of any of its functions.

5.7 Risk Management

5.7.1 There are none arising directly from this report.

6. Reasons for Decision/Recommendation

6.1 It is considered that the provision of this land for housing development will make a substantial and early contribution to meeting the identified housing requirements for Penrith. The site forms part of an area of land identified in the adopted Core Strategy and within the Strategic Masterplan for Penrith in a spatial strategy for the location of new housing development within and on the periphery of the built area of the town. It is not considered that emerging policy within the Housing DPD would be compromised by the granting of this permission. The previous concerns over the introduction of construction traffic into a tight residential area are addressed by the introduction of a construction traffic haul road serving the site from Carleton Hill Road.

6.2 The development of the greater area of the site has implications for environmental matters in respect of the impact of the development on the River Eden and its Tributaries Special Area of Conservation. It is considered that the granting of outline planning permission for a development which will connect to the existing drainage system of the town with runoff rates no greater than those for the existing greenfield area of land will not affect the Special Conservation Area.

Gwyn Clark
Head of Planning Services

Governance Checks: [Checked by or on behalf of the Monitoring Officer] □
Background Papers: □
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