

**Eden District Council**

**Planning Committee Agenda**  
**Committee Date: 19 May 2022**

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<b>2</b>	<b>Planning Application No: 21/1092</b> Reserved Matters for appearance, landscaping, layout and scale pursuant to Outline Planning Permission 19/0636 for use classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) Land South-west of Mile Lane, Redhills, Penrith, CA11 0DT Willan and Lund Holdings Limited	Recommended to:  APPROVE Subject to Conditions

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**Agenda Item 1**  
**REPORTS FOR DEBATE**

**Date of Committee:** 19 May 2022

**Planning Application No:** 21/0949      **Date Received:** 21 October 2021

**OS Grid Ref:** 349867 526573      **Expiry Date:** 20 January 2022

**Parish:** Sockbridge and Tirril      **Ward:** Eamont

**Application Type:** Variation of Conditions

**Proposal:** Variation of condition 1 (plans compliance) to include amended site layout plan with amended ground levels, attached to approval 20/0078

**Location:** Land west of Sockbridge, Thorpefield

**Applicant:** Stoneswood Developments Ltd

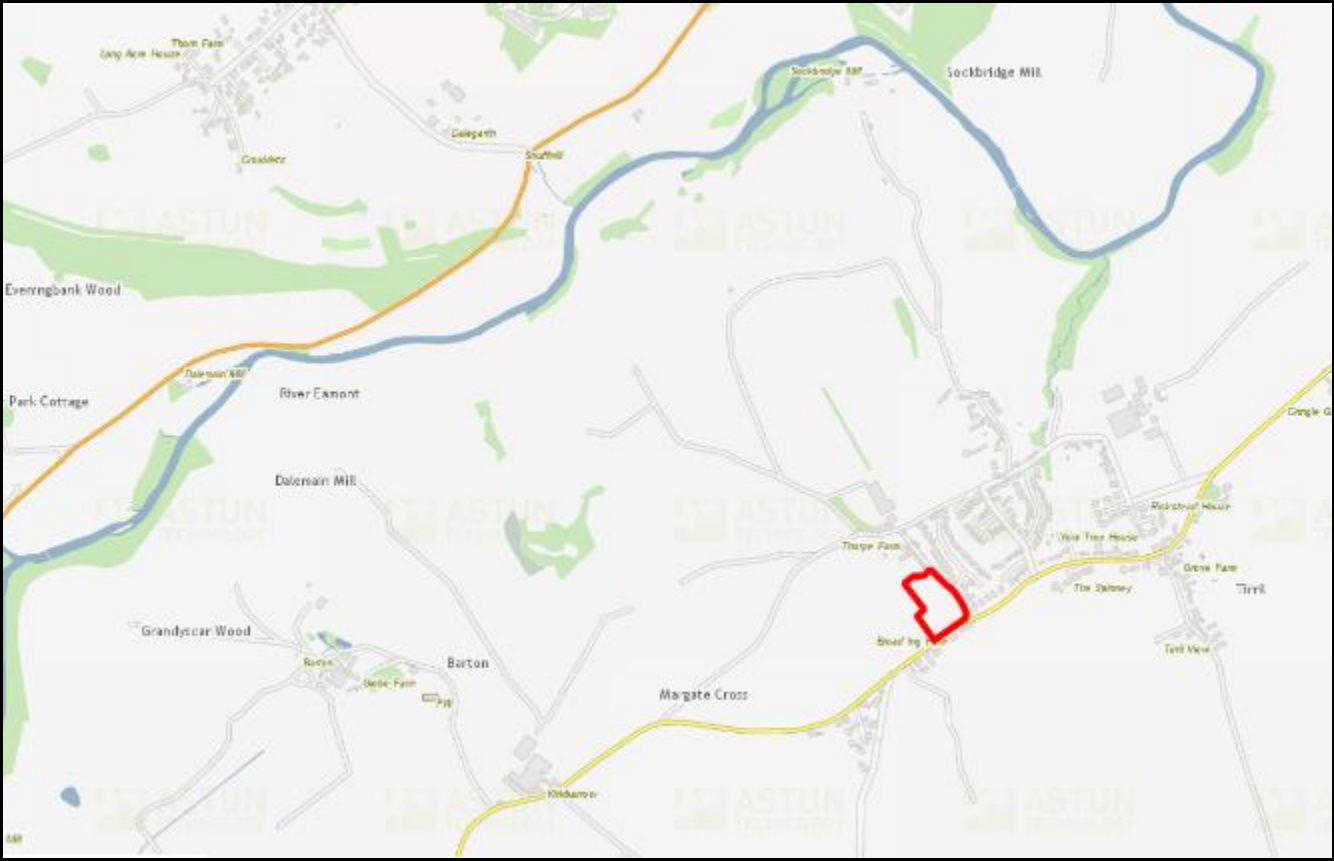
**Agent:** Mr Daniel Addis

**Case Officer:** Mr Richard Fox

**Reason for Referral:** The recommendation is contrary to that of the Parish Council



**Agenda Item 1  
REPORTS FOR DEBATE**



## 1. Recommendation

It is recommended that planning permission be granted subject to the following conditions:

### **Time Limit for Commencement**

1. The development permitted shall be begun before 16 July.

**Reason:** In order to comply with the provisions of the Town and Country Planning Act 1990.

### **Approved Plans**

2. The development hereby granted shall be carried out strictly in accordance with the application form dated 3 February 2020 email dated 6 July 2020 and the following details and plans hereby approved:

- i) Finish floor level proposed change schedule dated 21 October 2021.
- ii) Site plan 317/02 (02) 003 Rev C dated 21 October 2021.
- iii) Trial pit trench locations dated 3 December 2021.
- iv) Site investigation report dated 3 December 2021.

**Reason:** To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the approved details.

### **Before the Development is commenced**

3. The development shall not commence until visibility splays providing clear visibility of 90 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow 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.

### **Pre-Occupancy or Other Stage Conditions**

4. No dwellings shall be occupied until the estate road including footways and cycle ways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

**Reason:** In the interests of highway safety.

### **Ongoing Conditions**

5. The gradient of the access road shall be no steeper than 1 in 20 for a distance not less than 15m as measured from the carriageway edge of the adjacent highway.

**Reason:** In the interests of highway safety.

6. Footways shall be provided that link continuously and conveniently to the nearest

existing footway. Pedestrian paths within and to and from the site shall be provided that are convenient to use.

**Reason:** To ensure a minimum standard of footpath provision is made within the site.

## **2. Proposal and Site Description**

### **2.1 Proposal**

- 2.1.1 This application is related to earlier grants of planning permission for this site, ref. 17/0080 and 20/0078. 17/0080 granted outline planning approval for a residential development. The subsequent reserved matters application for 24 dwellings was approved under 20/0078. Conditions pursuant to 17/0080 were approved under 20/0100.
- 2.1.2 The current application seeks to vary Condition 1 (plans compliance) of the reserved matters consent to amend the site layout and ground levels.
- 2.1.3 The variation seeks to amend the finished floor levels of some of the dwellings. This has been necessitated by ground investigation works which have revealed that the bedrock is closer to the surface than originally thought.
- 2.1.4 It has been found also that the gradient of the access road is unnecessarily shallow which has meant that some of the houses would had to have been dug into the ground to be accessed from the road, resulting in overly high retaining walls on parts of the site.
- 2.1.5 12 of the 24 plots will remain unaffected but increases in floor levels are necessary to plots, 6, 7, 8, 14, 15, 17, 18, 19, 20, 21, and 22 and a decrease is necessary to plot 16. The proposed new floor levels will work closely with, but remain lower than the existing ground level.
- 2.1.6 This application proposes to increase the overall height of eleven plots and reduce that of one. The increases in height range from approximately a half to one and a half metres. The increased heights are in three groupings; plots 6-8 a terrace in the centre of the site; plots 14 and 15 in the north-west of the site and plots 17-22 facing the south-west boundary. Plot 16 in the north western corner is reduced by a third of a metre.

### **2.2 Site Description**

- 2.2.1 The application site is an agricultural field of approximately 1.15 hectares in size. It is located on the western edge of the village of Sockbridge and Tirril beyond Thorpe Field Road. An existing, modern housing estate is located to the east of the site, on the opposite side of the aforementioned Thorpe Field Road.
- 2.2.2 The site is bordered to the south by the B5320. To the west is further agricultural land and beyond that, approximately 330 metres from the boundary of the Lake District National Park. A public bridleway, (no. 364006) and a public footpath (no. 364007) are located approximately 150 metres north of the application site.
- 2.2.3 As has been mentioned, an existing development, Thorpefield, is located opposite the site to the East. No's 31, 32 and 33 are located here, along with no's 1, 2 and 3. To the South and also opposite the site are further residential dwellings, Greenkiln, Greenkiln Cottage and Cedar Cottage. All of these residential dwellings are located opposite the site, beyond existing highway.

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- 2.2.4 The site is noted to be undulating, incorporating a slope that means the eastern and southern elements of the site are at a more elevated position relative to other parts of the site and neighbouring land. Currently, the site is bound by a mix of dry stone wall, post and rail fencing and intermittent hedgerow along with some trees. Much of the existing dry stone wall will be retained although some will be lost in creating the main access to the site.
- 2.2.5 The site is not located in an area subject to any ‘special’ designation in terms of landscape or heritage zones. There are no other constraints considered relevant to the determination of this application.

**3. Consultees**

**3.1 Statutory Consultees**

Consultee	Response
CCC Highway Authority	Responded on the 23 November 2021 and raised no objection subject to the layout complying with CCC standards.
Historic England	No comment.
Natural England	Responded on the 15 November 2021M and stated they were unable to provide detailed comments.
United Utilities	Responded on the 22 November 2021. No objection to the proposed new levels.
CCC Minerals and Waste	No minerals safeguarding issues.

**4. Parish Council/Meeting Response**

Parish Council/Meeting	Please Tick as Appropriate			
	Object	Support	No Response	No View Expressed
<b>Sockbridge and Tirril</b>	✓			

- 4.1 The Parish Council objected to the application and made the following comments:
- The original detailed planning application: 20/0078 was submitted by the applicant. This included full, detailed documents drawn up by professional architects. The site plans, site sections and accompanying documentation clearly showed how the development would sit against the existing landscape and properties. There were many requests from parishioners and the Parish Council for the site sections which did not initially accompany the application.*
- This was because of the concern of the visual impact the development would have in its raised position. This, in essence, was the crux of people’s objections and as such, was a key focus for the planning officer and the Planning Committee. This application was passed. To suggest now that a mistake has been made which was not realised by the developer is both unacceptable (as a reason to request an amendment) and unprofessional.*
- The applicant has suggested that it has only recently come to light that the bedrock is closer to the surface than previously thought. This cannot be the case as ground investigation works were undertaken prior to the detailed planning application. This*

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*was to clarify the necessary work required for the foundations. Presumably the developer has a copy of this report and therefore to say that recent investigations have only just revealed this is surely misleading. The contractor who undertook the foundation investigation left approx. 20 red flags in the proposed site which indicated where he had undertaken these investigations. Clearly he dug into the whole area and therefore there was evidential knowledge about the subsurface of the site.*

*A drainage investigation was undertaken prior to the initial application. Interestingly this showed no evidence of bedrock and the holes went down almost 2 metres.*

*The developer states that one reason for the amendment is because he feels that having to dig the houses down ‘would negatively affect the visual impact of the houses when viewed from the south west’. For clarification purposes, we are at a loss as to how objectors may not use visual impact as a reason, yet a developer may. The developer is particularly concerned that the visual impact which he expected properties to have when travelling from the west has been lost, with some houses appearing ‘buried’ behind retaining walls. Site sections clearly showed this so how can it be said that it wasn’t realised at the time? Interestingly, the west side of Thorpefield’s houses nestle into the land and bedrock was dug out in order for this to happen.*

*In terms of FFL, the developer has approximated the overall changes to 1m across 11 plots and suggested that they are modest adjustments. The largest proposed change is 1.683m: almost 70% higher than the average adjustment. The differences between some of the agreed FFL and requested FFL are unacceptable.*

*The detailed planning application was undertaken by a professional team and submitted by the developer. Several investigations had been undertaken to aid this application and therefore the Parish Council cannot see why this planning application would be granted considering the process that has already been undertaken. The Parish Council objects to raising the height of the buildings because it would increase the adverse impact on the landscape.*

**5. Representations**

5.1 Letters of consultation were sent to nearby neighbours and a site notice was posted on site. A press notice was also published.

<b>No of Neighbours Consulted</b>	0	<b>No of letters of support</b>	0
<b>No of Representations Received</b>	11	<b>No of neutral representations</b>	2
<b>No of objection letters</b>	9		

5.2 The following points outline the basis of the objections received:

- Increase in height will have a detrimental visual impact;
- Object to increase in height;
- Lack of due diligence by the applicant with regard to bedrock;
- Houses should be reduced in height or replaced with bungalows;
- Inadequate surface water drainage;
- Inadequate visitor parking;
- Inadequate access separation distance on B5320;
- Increase in potentially hazardous traffic along B5320;



## 6. Relevant Planning History

<b>Application No</b>	<b>Description</b>	<b>Outcome</b>
17/0080	Outline application for residential development with all matters reserved	Approved
20/0078	Reserved matters application for access, appearance, landscaping, layout and scale attached to approval ref. 17/0080	Approved
20/0100	Discharge of conditions 3 (construction method statement), 4 (carriageway, footways, footpaths, cycle ways etc.), 8 (surface water discharge), 9 (surface water drainage), 11 (parking, turning, loading and unloading of vehicles), 12 (surface water drainage - national planning practice guidance), 13 (hard and soft landscaping) and 14 (tree protection measures) attached to approval 17/0080	Approved

## 7. Policy Context

### 7.1 Development Plan

#### **Eden Local Plan (2014-2032):**

- Policy DEV1 – General; Approach to New Development
- Policy DEV5 – Design of New Development

## 8. Planning Assessment

### 8.1 Key/Main Planning Issues

- Principle of development
- Landscape and Visual Impacts
- Character and appearance of the settlement and locality
- Residential Amenity

### 8.2 Principle

8.2.1 This proposal seeks to vary a condition attached to the reserved matters consent 20/0078, specifically for access, appearance, landscaping, layout and scale attached to approval ref. 17/0080. That permission granted outline approval for a residential development of 25 dwellings, it was subsequently reduced to 24 dwellings at reserved matters stage.

8.2.2 Accordingly, the principle of development has been established for this site and housing is approved to be constructed upon it. A number of objectors have referred to drainage and highways matters which were considered at the outline and reserved matters stages.

### 8.3 Landscape and Visual Impacts

8.3.1 The Landscape and Visual Impact of the proposal was already understood by Members when Planning Committee approved the principle of the scheme. It was felt that the scheme could be accommodated in the locality without adversely affecting the

landscape. It is not considered that the minor height increases will have any noticeable impact on the overall landscape setting of Sockbridge.

#### **8.4 Character and appearance of the settlement and locality**

8.4.1 Taken as a whole the design proposed in the reserved matters was considered good and the dwellings proposed offered a variety of house types. The character of the area will alter through the implementation of the consent notwithstanding the height changes now proposed.

#### **8.5 Residential Amenity**

8.5.1 The development approved at reserved matters stage complied with Council standards relating to separation distances and it was concluded that the development could be accommodated without adversely affecting the residential amenity of existing residents in Thorpefield and Greenkiln through loss of outlook, light or loss of privacy. The main planning issue to be considered in this case is the impact that the height changes have on residential amenity.

8.5.2 A number of representations have been received which have criticised the applicants for belatedly discovering the nature of the bedrock and not undertaking due diligence. These assertions are not relevant to the determination of the application which has to be considered purely on its merits.

8.5.3 It should be stressed that the matter for consideration here relates solely to the height changes, not the heights of the dwellings themselves, which have already received consent.

8.5.4 The first point to note is that with the exception of plots 14 and 15, which abut the curtilage of a property in Thorpefield, all the other affected units lie in the centre of the site (units 6-8) or in the south-west part of the application site (Units 17-22) well away from existing properties in Thorpefield and Greenkiln. The one plot with a reduction (unit16) is also adjacent to the property in Thorpefield. Any increase in height would be very difficult to notice from these existing residences because of the distance involved and views being obscured by other new properties.

8.5.5 Secondly, most of the properties in Thorpefield and Greenkiln are bungalows with no first floor windows which could be affected by reduced outlook. Moreover, there is good boundary screening to these residences and they are separated from the application site by roads along the north-east and south-east. The applicant proposes to retain the wall and proposes additional planting around the perimeter of the site. Taken together these mitigating factors mean that any reduction in outlook by the increase in height would be minimal.

8.5.6 Finally, the increases in height should be judged against the overall scale of the houses and proportionately they are not major.

### **9. Implications**

#### **9.1 Legal Implications**

9.1.1 The following matters have been considered but no issues are judged to arise.

#### **9.2 Equality and Diversity**

9.2.1 The Council must have regard to the elimination of unlawful discrimination and harassment, and the promotion of equality under the Equality Act 2010.

**9.3 Environment**

9.3.1 The Council must have due regard to conserving bio-diversity under the Natural Environment and Rural Communities Act 2006.

**9.4 Crime and Disorder**

9.4.1 Under the Crime and Disorder Act 1998, the Council must have regard to the need to reduce crime and disorder in exercising any of its functions.

**9.5 Children**

9.5.1 Under the Children Act 2004, the Council has a duty to safeguard and promote the welfare of children in the exercise of any of its functions.

**9.6 Human Rights**

9.6.1 In determining applications, the Council must ensure that all parties get a fair hearing in compliance with the provisions of Article 6 under the European Convention on Human Rights, as now embodied in UK law in the Human Rights Act 1998.

**10. Conclusion**

10.1 This is an application to vary the approval for one relatively minor element of the details of the development, rather than the development itself.

10.2 It is recognised that there are a number of objectors to this application however an objective assessment of the proposed increases in heights proposed reveals that they can be accommodated without any undue loss of residential amenity.

Fergus McMorrow  
Assistant Director Development

Checked by or on behalf of the Monitoring Officer	03.05.2022
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**Background Papers:** Planning File 21/0949

**Agenda Item 2**  
**REPORTS FOR DEBATE**

**Date of Committee:** 19 May 2022

**Planning Application No:** 21/1092      **Date Received:** 17 December 2021

**OS Grid Ref:** 350262 528809      **Expiry Date:** 18 March 2022

**Parish:** Dacre      **Ward:** Dacre

**Application Type:** Reserved Matters

**Proposal:** Reserved Matters for appearance, landscaping, layout and scale pursuant to Outline Planning Permission 19/0636 for use classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution)

**Location:** Land South-west of Mile Lane, Redhills, Penrith, CA11 0DT

**Applicant:** Willan and Lund Holdings Limited

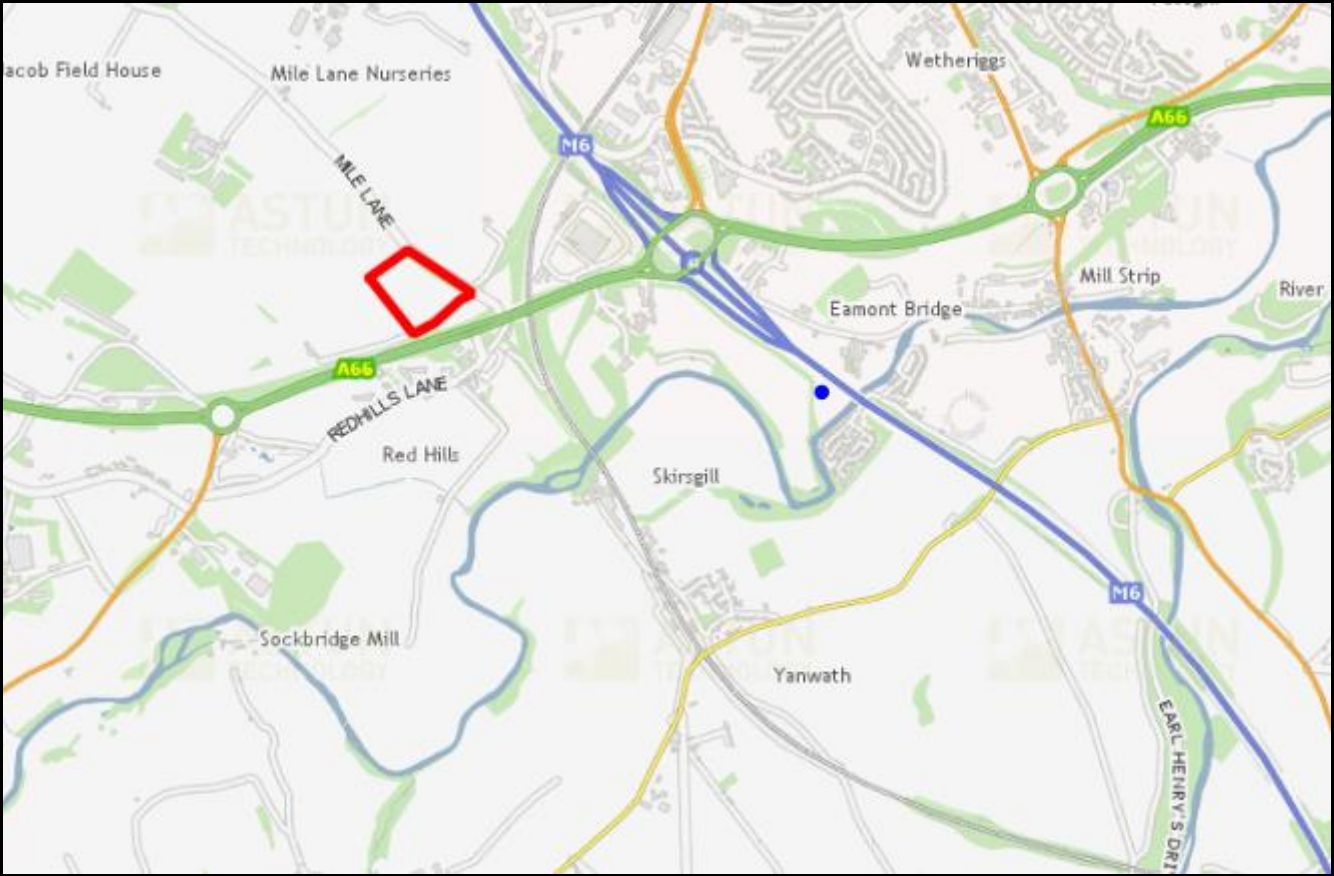
**Agent:** Mr Daniel Addis

**Case Officer:** Mr Richard Fox

**Reason for Referral:** The recommendation is contrary to the views of a Parish Council



Agenda Item 2  
REPORTS FOR DEBATE



## 1. Recommendation

It is recommended that Planning Permission be granted subject to the following conditions:

### Approved Plans

1. The development hereby granted shall be carried out strictly in accordance with the application form dated 16 December 2021 and the following details and plans hereby approved:
  - i) Existing site plan dated 17 December 2021;
  - ii) Plant plan dated 17 December 2021;
  - iii) Plant specification dated 17 December 2021;
  - iv) Proposed elevations dated 17 December 2021;
  - v) Proposed floor plans dated 17 December 2021;
  - vi) Proposed site plan dated 17 December 2021;
  - vii) Tree survey dated 17 December 2021;
  - viii) Trees and landscape survey dated 17 December 2021;

**Reason:** To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the approved details.

### Prior to commencement

2. Prior to the commencement of the construction of the hereby approved building, samples of external finishes for walls, roofs, windows, doors and hard surfaces shall be submitted to the Local Planning Authority for written approval. Once approved, these materials shall be utilised in the construction of the site.

**Reason:** In the interests of the character and amenity of the area.

3. Prior to the commencement of development details for the secure parking of bicycles shall be submitted to the Local Planning Authority for approval. Once approved, these facilities shall be installed prior to the first occupation of the building approved and retained thereafter.

**Reason:** To ensure that the site is accessible by means other than the private motor vehicle.

## 2. Proposal and Site Description

### 2.1 Proposal

- 2.1.1 This is an application for approval of the reserved matters for the erection of a building and associated operations including the formation of an access, part of the estate road. The application provides the reserved matters following outline approval 19/0636 which granted outline planning permission for a business park (use classes B1 (business), B2 (general industrial) and B8 (storage and distribution)), with approval for access. Accordingly, the application provides details on the four remaining reserved matters i.e., 'appearance', 'layout', 'landscaping', and 'scale'.
- 2.1.2 Planning permission is sought for the formation of part of the estate road that will serve the business park and the construction of a commercial building with associated

parking/turning. It should be emphasised that reserved matters approval is only sought for one building at this stage.

- 2.1.3 A copy of the masterplan is included with the application as 'Master Plan'. It should be noted that reserved matters are only being sought for the development as outlined on the Proposed Site Plan and that therefore for planning purposes, the 'Master Plan' drawing is effectively indicative and will not form part of the plans compliance condition of any approval.
- 2.1.4 The proposed building is a standard commercial building orientated parallel to Mile Lane and facing southwest into the business park. The elevations are shown on 'Proposed Elevations'. It measures 50.6m in length and 21m in width. It is 4.85m to the eaves and 6.3m to the ridge. The northeast elevation (facing Mile Lane) is blank with the exception of a pedestrian door. The southeast gable is blank with the exception of a pedestrian door, the southwest elevation (facing into the business park) features three roller shutter doors (entrances to units A, B and C), four pedestrian doors with adjoining windows, and the northwest elevation features a roller shutter door (entrance to unit D) and a pedestrian door. The floorplans are shown on 'Floor Plan/Roof Plan'. The floorplans show two larger units (B and C) and two smaller units (A and D). The roof plan shows no openings.
- 2.1.5 Beyond the building itself, an area of parking and turning is shown within the curtilage (west and south of the building) on the 'Proposed Site Plan' drawing. Beyond that, the area connects onto the estate road and eventually onto Mile Lane.

## **2.2 Site Description**

- 2.2.1 The site subject of this application is located to the south-west of Mile Lane, Redhills. The site is bounded by open countryside to the north-north-west. The site is 3.3 hectares in size and is currently agricultural land.
- 2.2.2 It is bound by trees on its north-eastern boundary, all along Mile Lane with further trees on the south-western boundary between the site and the adjacent golf driving range. The site slopes from west to east, with the western boundary slope forming a natural feature to 'screen' direct views into the site from that direction which is further 'screened' by the aforementioned trees. To the south is the A66 corridor with the embankments and mature planting located upon it.
- 2.2.3 The nearest residential dwelling to the application site is the dwelling 'Nine Chimneys' which is located on the opposite side of Mile Lane, approximately 199 metres from the boundary of the application site to the north-east. 'Bell Mount' is located to the north-west, approximately 0.59 kilometres away from the nearest site boundary whilst 'Eden View' located to the west, is approximately 0.75 kilometres away. Mile Lane Nurseries, which includes a residential property is approximately 0.62 kilometres away to the north-north-west. Jacob View is approximately 0.96 kilometres to the north-west of the site.
- 2.2.4 The site is confirmed to be located within a Flood zone 1. The site is not located in an area subject to any 'special' designation in terms of landscape or heritage zones. There are no other constraints considered relevant to the determination of this application.

### 3. Consultees

#### 3.1 Statutory Consultees

Consultee	Response
Cumbria County Council – Local Highways Authority	No objection
Highways England	No objection
Cumbria County Council - Lead Local Flood Authority	No objection
Environment Agency	No objection
Natural England	No comments

#### 4. Parish Council/Meeting Response

Parish Council/Meeting	Please Tick as Appropriate			Comments
	Object	Support	No Response	
Dacre	✓			
Penrith				✓

- 4.1 Dacre Parish Council feel that with that number of buildings being developed, and the developments on the other side of the road, there are concerns about the volume of traffic that will be exiting/entrancing Mile Lane from the A66 and the implications on this already identified congested section of a trunk road (A66), and the knock-on impacts on local villages of traffic trying to avoid this issue. A full highways assessment of Mile Lane is required to ensure appropriate transport access is available without negative impacts elsewhere (e.g. the weight limit on Mile Lane needs to be reviewed).
- 4.2 Penrith Town Council. No Objection as land already has outline planning permission however PTC would like to see conditions relating to the following:
1. Both EDC and PTC have declared a climate emergency so renewable energy technologies should be incorporated into the design, including pv panels and BRE A construction methods should be used to include high levels of thermal performance.
  2. New buildings should be future proofed at the build stage as soon as possible, as retrofitting to increase standards later on would be more expensive. It is hoped that the building has been sited to optimise passive solar gain.
  3. The building should be constructed of sustainable thermally efficient building materials and include good loft and wall insulation to reduce energy consumption as far as possible. Water recycling methods should be included within the development.
  4. The site should include good inter-connectivity with the existing business parks and town and paths/tracks to promote sustainable transport and encourage cycling and walking as a way to get to work.
  5. The development should include electric vehicle charging points and cycle storage.
  6. To help climate mitigation, native trees, including fruit/nut trees) should be used to enhance greening and biodiversity within the plan area.



7. Design or landscape features should be incorporated to provide habitat for insects, nesting birds and other wildlife. Hardstanding should be porous where possible to reduce run off.

## 5. Relevant Planning History

<b>Application No</b>	<b>Description</b>	<b>Outcome</b>
93/0575	Proposed touring caravan site	Refused
98/0585	Change of use to Caravan Park	Refused
99/0503	Change of use to Caravan Park	Approved
19/0152	Outline Planning Permission for use classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution)	Refused
19/0636	Outline Planning Permission for use classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution)	Approved

## 6. Policy Context

### 6.1 Development Plan

#### **Eden Local Plan (2014-2032):**

The specific policies considered relevant in the determination of this particular application are as follows;

- Policy DEV1 – General Approach to New Development
- Policy DEV3 – Transport, Accessibility and Rights of Way
- Policy DEV5 – Design of New Development
- Policy ENV1 – Protection and Enhancement of the Natural Environment, Biodiversity and Geodiversity
- Policy ENV2 – Protection and Enhancement of Landscapes and Trees
- Policy ENV5 – Environmentally Sustainable Design

## 7. Planning Assessment

### 7.1 Key/Main Planning Issues

- Principle of development
- Landscape and Visual Impacts
- Highways/Highway Safety

### 7.2 Principle of development

- 7.2.1 The principle of development at this site including means of access was established by the outline consent. The only matters to be considered at this stage are the appearance, landscaping, layout and scale of the development.

### **7.3 Landscape and Visual Impacts**

- 7.3.1 Landscaping has been informed by a tree survey included with the application. Based on the tree survey, a 'Trees and Landscape Assessment' was commissioned. The assessment looks at the existing trees, considers landscape impact and proposes works to the existing trees and new planting to soften the site and reduce impact. A 'Planting Plan' is submitted with the application which shows a masterplan for planting across the wider business park. Again, as with the architect's masterplan, the application is only seeking approval for the initial building and associated infrastructure and that therefore this wider planting masterplan is largely indicative for the rest of the Site. A 'Plant Specification and Schedule' is included with the application.
- 7.3.2 The landscaping proposed in the landscape plan will soften the visual impact of the development. The building itself is of a standard modern design, typical of those found in recent industrial estates. Subject to the submission of satisfactory materials there is no objection to the landscape or visual impact of the building proposed.

### **7.4 Highways/Highways Safety**

- 7.4.1 Whilst the concerns of the Parish Council are noted these issues were considered fully at outline planning application stage. The Highway Authority were fully consulted and offered no objection to the outline proposal. Highways England also commented upon the application following being consulted. They also offered no objection. Neither body had any concerns with regards to this reserved matters application.

## **8. Implications**

### **8.1 Legal Implications**

- 8.1.1 The following matters have been considered but no issues are judged to arise.

### **8.2 Equality and Diversity**

- 8.2.1 The Council must have regard to the elimination of unlawful discrimination and harassment, and the promotion of equality under the Equality Act 2010.

### **8.3 Environment**

- 8.3.1 The Council must have due regard to conserving bio-diversity under the Natural Environment and Rural Communities Act 2006.

### **8.4 Crime and Disorder**

- 8.4.1 Under the Crime and Disorder Act 1998, the Council must have regard to the need to reduce crime and disorder in exercising any of its functions.

### **8.5 Children**

- 8.5.1 Under the Children Act 2004, the Council has a duty to safeguard and promote the welfare of children in the exercise of any of its functions.

### **8.6 Human Rights**

- 8.6.1 In determining applications, the Council must ensure that all parties get a fair hearing in compliance with the provisions of Article 6 under the European Convention on Human Rights, as now embodied in UK law in the Human Rights Act 1998.

**9. Conclusion**

- 9.1 The design and appearance of this building are in keeping with a modern commercial estate. The landscaping proposed is part of a comprehensive masterplan for the whole area which will soften the site's appearance. As such the reserved matters are considered acceptable.

Fergus McMorrow  
Assistant Director Development

Checked by or on behalf of the Monitoring Officer	03.05.2022
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**Background Papers:** Planning File 21/1092