

DEVELOPMENT CONTROL AND REGULATION COMMITTEE
15 July 2022
A report by the Executive Director for Economy and Infrastructure

Application Reference No. [3/22/9001](#)

Application Type: Full Planning Permission

Proposal: Erection of emergency standby generator and associated oil tank and fencing and ancillary landscaping.

Location: Grisedale Croft Residential Care Home, Church Road, Alston, CA9 3QS

Applicant: Cumbria County Council

Date Valid: 14 April 2022

Reason for Committee Level Decision: Application made by Executive Director for Economy and Infrastructure

1.0 RECOMMENDATION

1.1 That Planning Permission be granted subject to the conditions set out in Appendix 1 to this report.

2.0 THE PROPOSAL

2.1 Planning permission is sought to erect an emergency standby generator with associated oil tank within a newly formed fenced compound with landscaping within the southwestern grounds of the Grisedale Croft elderly persons residential care home in Alston. This application proposal has arisen as the operation of this important community facility serving this relatively remotely located settlement (and its hinterland) has been adversely affected by increasingly frequent extreme weather events in recent years.

2.2 The proposed generator would be housed within a flat roofed steel kiosk structure measuring approximately 1.1m in width, 2.2m in length and 1.8m in height. The steel walls and roof of the kiosk would measure 10cm thick. The proposed oil tank measures approximately 1.1m in width, 2.3m in length and 1m in height and would be of plastic construction with double-skinned walls. Both structures are proposed to be finished in a moss green colour (*N.B. the generator house would have a black colour finish to its base trim*). Both would be mounted on a 30cm deep concrete base the depth and extent of which has been designed to withstand the loadings of the above infrastructure that totals just over four metric tonnes (1,200kg for the generator and 3,809kg for a full oil tank). The fenced compound area for this infrastructure would have a rectilinear footprint measuring approximately 3.6m in length while the width would vary between 1.7 and 1.9m. It is proposed to erect hit-and-miss wooden fencing (with double-gate) around the compound for added security and visual containment. The fencing is proposed to measure 1.5m in height and be painted moss green in colour. A mixed hedgerow comprising of beech, hawthorn and blackthorn is proposed to be planted around the compound fencing. The existing beech hedgerow to the boundary would be retained in full while the dispersed shrub planting in this area is proposed to be replanted elsewhere in the garden grounds.

3.0 SITE DESCRIPTION

- 3.1 Grisedale Croft is a 1960s/1970s built home for elderly persons that currently provides 24hour residential care for up to 15 older vulnerable people (including individuals with dementia) within the relatively small and remote Pennine town of Alston. It is accessed off Church Road, which also provides access to a number of residential dwellings, and Samuel Kings Secondary School. It is situated outside of, but in close proximity to, Alston's Conservation Area. Like the rest of Alston and its surrounds it falls within the North Pennines Area of Outstanding Natural Beauty (AONB).
- 3.2 Grisedale Croft is a two storey-building complex with pitched roofs and a mixture of external materials (a yellow colour sandstone, timber cladding, pebbledash, and a cream rough dash render). Both the site and building have an approximately "L" shaped footprint. The site covers a 0.28ha area with a car-parking area centrally situated and garden spaces present to its west and south. The large garden area to its south is a community garden run by local volunteers. The principal building-line is setback 23m from Church Road. The north-western wing of the building projects beyond this, with its gable-end setback approximately 6.7m from Church Road and matching the building-line of residential properties on the eastern side of the street. On the gable-end of this wing is a box bay window to the ground floor, which projects 0.75m from the rest of the building frontage. As ground levels slope down from east to west across the site, this box-bay stands approximately 85cm above the external ground level here. The windowsill of the box bay measures approximately 1.75m above ground level. The proposed back-up power compound fence is set 0.5m back from this box-bay, while the oil tank and generator have been sited outside the 2.5m "fire-line" buffer of the building.
- 3.3 The western boundary of Grisedale Croft is formed by a dwarf retaining wall faced with brick that measures approximately 0.5m to 0.65m in height above the pavement surface of Church Walk. A mature beech hedge is planted above this. This ranges in height above the pavement from 1.6m to 1.8m, while on the garden side it stands approximately 1m to 1.2m above ground-level. This beech hedgerow wraps around the northern perimeter of the grounds until the south-western wing building line where it gives way to open hit-and-miss timber fencing that stands 2m in height and contains the northern recess area beyond this.
- 3.4 Grisedale Croft is bounded to its north by a large three storey building (Thompson Court) which contains four residential flats. To its northeast it is bounded by a public footpath (Public Right of Way No. 302056) which is understood to be known as Kates Lane. Immediately beyond this is Globe House that also contains a number of residential flats. To its east Olde Cottage and its relatively large grounds bound it. To its south, the community garden is bounded by an agricultural field. To the south-west, the site is bounded by the rear of a series of two storey 1960s/1970s terraced houses - No.s 14 to 25 Church Road (consecutive). To its north-west Church Road bound it. On the opposite side of the road is another terrace (1-5 Church Road) and the garden grounds of two larger dwelling-houses - Temple Croft and the Grade II listed Laufran House (aka. The Old Vicarage). These latter two properties and Thompson Court fall within Alston's conservation area. Grisedale Croft falls outside of the Conservation Area, with the northern and eastern boundary of the home forming the boundary of the Conservation Area.

4.0 SITE PLANNING HISTORY

4.1 There is no recorded planning history relevant to this site or application.

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Eden District Council Planning Department: No response received.

5.2 Eden District Council Environmental Health Department: Initially requested site-specific noise assessment detail. Satisfied that that the noise assessment subsequently provided is satisfactory. In light of the generators emergency only use, consider that the noise levels are acceptable for limited operational times in a residential area. Request a planning condition be imposed to ensure the generator is for emergency use only upon the loss of mains power.

5.3 Alston Moor Town Council: Support the application.

5.4 Cumbria County Council (CCC) as Local Highway Authority (LHA): No objection. Consider that the layout details are satisfactory from a highway perspective.

5.5 CCC as Lead Local Flood Authority (LLFA): Set out that this minor development is below the LLFA threshold for comment. Note that EA Surface Water Flood Risk modelling indicate that the U3451 Church Road has a 0.1% (1 in 1,000) chance of minor surface water flooding occurring each year but that the application site itself is not shown to be in an area of flood risk. Advise that the surface water discharge rate should not be greater than existing.

5.6 CCC Historic Environment Officer: No objection and does not wish to make any recommendations.

5.7 CCC Ecology Consultant: No objection. Satisfied that the proposal raises no substantive ecology issues. Suggests that a condition is imposed to secure the proposed screen hedging in the first growing season following the completion of construction work.

5.8 Cumbria Fire and Rescue Service: No response received.

5.9 Electricity Northwest: No response received.

5.10 Northern Gas Networks: No objection.

5.11 United Utilities: Initially requested further information due to concerns in respect of the proximity of proposals to their water assets. Welcomes the further information subsequently provided by the applicant and confirmed that they have no objection provided a condition is imposed to ensure the protection of their infrastructure. Notes that the precise location of their water main has not been conclusively confirmed as of yet and that the proposed development could unacceptably encroach upon it. Note the information submitted suggests the option of undertaking a diversion of the water main if required and that this option would need to be finalised and agreed with United Utilities in advance to ensure that this does not result in a delay to the project.

5.12 The site falls with the County Council electoral division of Alston and East Fellside. The Councillor representing this division, Ms Claire Driver, has been notified of this application.

5.13 One representation has been received from a member of the public. This expressed concern that the proposed works may obstruct/prevent access to the community garden, and requests that access is maintained throughout the construction phase.

6.0 PLANNING POLICY

6.1 [Section 38\(6\)](#) of the [Planning & Compulsory Purchase Act 2004](#) provides that planning applications must be determined in accordance with the local development plan unless material considerations indicate otherwise. Government policy is a material consideration that must be given appropriate weight in the decision making process.

6.2 The [Eden District Council Local Plan 2014-2032](#) (EDCLP) was formally adopted on 11 October 2018. The key policies from this local development plan relevant to the determination of this planning application are considered to be:

- DEV1 - General Approach to New Development
- DEV2 - Water Management and Flood Risk
- DEV5 - Design of New Development
- ENV1 - Protection and Enhancement of the Natural Environment, Biodiversity and Geodiversity
- ENV3 - The North Pennines Area of Outstanding Natural Beauty
- ENV4 - Green Infrastructure Networks
- ENV9 - Other Forms of Pollution
- ENV10 - The Historic Environment

6.3 Neighbourhood Plans also form part of the statutory development plan once they have been made (brought into legal force) by the local planning authority. The Alston Moor Parish area was designated as a “Neighbourhood Area” in July 2014; however, a Neighbourhood Plan has not been progressed for this area to date.

6.4 [The National Planning Policy Framework](#) (NPPF) was published in a revised and updated form in July 2021. The national online [Planning Practice Guidance](#) (PPG) suite was launched in March 2014 and is continually updated. Both are material considerations in the determination of planning applications. The following sections and paragraphs of the NPPF are considered to be relevant to the determination of this application:

- Section 2 - Achieving sustainable development: Paragraphs 7, 8, 9, 10 & 11.
- Section 4 - Decision making: Paragraphs 38.
- Section 8 – Promoting healthy and safe communities: Paragraphs 92 & 97.
- Section 11 – Making effective use of land: Paragraph 119.
- Section 12 - Achieving well-designed places: Paragraphs 126, 130, 132 & 134.
- Section 14 - Meeting the challenge of climate change, flooding and coastal change: Paragraphs 152, 153, 154, 157, 158, 167, 168 and 169.
- Section 15 - Conserving and enhancing the natural environment – Paragraphs 174, 176, 185, 187 and 188.
- Section 16 - Conserving and enhancing the historic environment – Paragraphs 189, 194, 195, 197, 199, 200, 202, 206 and 207.

7.0 PLANNING ASSESSMENT

7.1 The key planning issues relevant to this application proposal are considered be: -

- whether there is a need for a back-up generator and whether the type of generator proposed is justified;
- whether the proposed siting and design would be harmful to the character or appearance of the street scene and local area;
- whether the proposal would adversely affect the setting of any heritage assets;
- whether noise from the proposed generator would have an unacceptable impact on residential amenity.

7.2 Other material considerations also of relevance are biodiversity, landscape, local flood risk and interaction with utility infrastructure.

Need/Principle: *Is there a need for a back-up generator and if so, is the proposed generator type acceptable in principle?*

7.3 Paragraph 92 of the NPPF enshrines that planning decisions should aim to achieve safe and healthy places, while paragraph 97 directs that planning decisions should promote public safety by anticipating and addressing natural hazards and take appropriate and proportionate steps to reduce vulnerability, increase resilience and ensure public safety. Paragraph 152 of the NPPF sets out that the planning system should help minimise vulnerability and improve resilience to a changing climate. The NPPF recognises Residential Care homes as being a “more vulnerable” land-use. Objective 16 of the EDCLP seeks to protect and enhance community facilities to deliver thriving communities. Paragraph 4.34.2 sets out that thriving communities are also communities that are safe. Paragraph 4.6.5 of the EDCLP sets out that all new developments should aspire to the highest standards of design, including construction methods and materials, and these issues should be integrated into the development process at an early stage, along with consideration of community safety. Paragraph 4.6.6 continues that providing a safe environment is an important element of a high quality design.

7.4 Alston is situated high in the North Pennines at approximately 300m above sea level. It is reputedly the highest market-town settlement in England and is accessed via high level road routes including the long and winding Hartside Pass (A686). Due to its elevation, exposure, and relative remoteness from other larger service centres; key utility infrastructure and road access to Alston can be badly affected by extreme storm/weather events such as snow, high winds, and heavy rainfall. It is not unusual for the town to be temporarily ‘cut-off’ from services and roads several times during a year. During periods of particularly extreme weather such as the ‘Beast from the East’ in late February/early March 2018, snow blocked road links and damaged utility infrastructure resulted in the town being cut-off for many days. More recently, Storm Arwen resulted in the care home being without electric power from 10.30pm on 26th November 2021 to 5.00pm on 28th November 2021 due to storm damage affecting high voltage power cables serving Alston. The applicant reports that during this period all the equipment, systems and utilities that required an electric power supply did not

work, including the passenger lift, re-chargeable hoists, air flow mattresses, call bell system, telephones, fire system and IT equipment.

- 7.5 As extreme storm and weather events become more frequent due to climate change, more vulnerable elements of the local community are subsequently at increased risk. Consequently, it is considered that there is a clear and justified need for a back-up generator at this important community facility that cares for vulnerable individuals and that its provision is supported by the EDCLP and NPPF which seeks to promote resilient, healthy, and safe places.
- 7.6 A diesel fuelled back-up generator is proposed. The potential for the deployment of clean renewable energy technology and associated battery storage has been explored but the applicant's agent has discounted this due to the current perceived limitations of battery storage technology. They explain that the back-up system would need to last for several days in deep mid-winter and that battery storage technology does not currently have sufficient guaranteed capacity and resilience in the elevated and wintry elemental conditions of Alston. Consequently, they do not believe that there are any other viable options to provide suitable cover. It is noted that forms of renewable energy generation that are generally more reliable in darker winter months such as micro Wind Turbines, would not be compatible with a town centre location close to a Conservation Area within an AONB. Consequently, the agent's case in respect of the type of backup generator proposed is understood and accepted.

Siting and Design: Would the proposed siting and design be harmful to the character or appearance of the street scene and the local area?

- 7.7 The applicant has explored various options for siting a back-up generator on this site but has found the few possible alternative options to have insurmountable access constraints for installation and/or loading fuel; unacceptable impacts upon the Community Garden or nearby residential dwellings and/or to result in the loss of already limited in-curtilage parking. In terms of technical practicalities, the applicant's agent highlights that the proposed siting allows for relatively constraint free craned installation, has suitable access for fuel deliveries and is suitable for making connection with existing electrical circuits within the building. It is disappointing that there are no other practically feasible or acceptable alternative locations within the site for the proposed back-up generator as the proposed siting in front of the main building frontage and ahead of the main building-line is far from ideal in terms of protecting the character and appearance of the built environment from the local street-scene. In light of this, I have worked with the applicant and their agent to seek to mitigate as far as possible the impact of this proposal upon the character and appearance of the street-scene. The proposed generator and tank have been sized as small as possible. The micro-siting of the generator and tank has resulted in them being pulled as far back from Church Street as the required 2.5m fire-line buffer from a building and noise considerations allow. Expanded native hedgerow planting is proposed to enclose the generator and storage tank compound on three sides to provide visual screening/softening of these utilitarian structures. Timber fencing is provided around the compound to visually obscure and soften the presence of these structures until the hedgerow establishes and matures. The external materials of the generator and tank and the proposed fencing have been specified to be finished in a recessive dark green colour to minimise their visibility behind the existing and proposed planting. Despite these mitigations, the proposal would serve to erode the existing visual appearance of the street scene

in the short to medium term. In the medium to long-term, once the mitigatory planting has established, the proposal would have minimal impact on the appearance of the street scene.

Heritage: Whether the proposal would adversely affect the setting of any heritage assets;

- 7.8 [Section 66](#) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA Act) requires Local Planning Authorities (LPAs) to have special regard to the desirability of preserving a listed building or its setting. [Section 72](#) of the PLBCA Act imposes a general duty on Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The NPPF establishes that the setting of heritage asset may make a positive or negative contribution to the significance of that asset. Policy Env10 of the EDCLP sets out that the Council will attach great weight to the conservation and enhancement of the historic environment, heritage assets and their setting and applies the heritage assessment framework of the NPPF.
- 7.9 The central part of Alston town was designated as a conservation area in 1976. Key features of the conservation area are its cobbled main street and the collection of 17th and 18th century buildings around the Market Square. The significance of the conservation area lies in its architectural and historic form and materials.
- 7.10 The planning application site falls just outside of the Conservation Area, with the conservation area boundary following the curtilage of Thompson Court. The street of Church Road and the properties it provides access to were constructed in the 1960s/70s. The properties north of the Care Home, including Thompson Court) pre-date 1850. Thompson Court was converted to flats in the late 1980s. With the exception of views available from the pavement directly adjacent to the proposed back-up generator compound, the proposal would have negligible effect on views of Thompson Court or beyond. The existing care home building shields views of Thompson Court from further south down Church Road. The proposal would not directly affect or adversely alter views towards key buildings within the Conservation Area such as St Augustine's Church, the old vicarage or Town Hall. Despite this, the proposal would result in some minor harm to the openness of the setting of this small, relatively visually confined, component of the conservation area (and thus to its character and appearance); however, I do not believe it would detract from the historic or aesthetic significance of the Conservation Area. Furthermore, I note that the harm would be greatly reduced in the long-term once the proposed mitigation planting has established. I consider that this harm to the setting of the conservation area constitutes less than substantial harm and that it falls at the most minor end of the scale of harm found within the category of less than substantial harm. The public benefit of providing robust and resilient care facility for vulnerable members of the community is considered to outweigh the less than substantial harm identified. In reaching this view, I have paid special attention to the desirability of preserving or enhancing the character and appearance of the conservation area and attached great weight to the conservation and enhancement of the historic environment.
- 7.11 I am of the view that the application proposal would not affect the historic curtilage or the setting of the Grade II listed Church of St Augustine (or its walled gates and churchyard entrance), the Angel Inn or the Vicarage and its adjoining stables. Nor do I believe that the application proposal would be visible from within

any of these buildings by virtue of the intervening built form and existing established vegetation. In reaching this view, I have paid special regard to the desirability of preserving listed buildings and their settings.

Noise: Would noise from the proposed generator have an unacceptable impact on residential amenity?

- 7.12 EDCLP Policy ENV9 requires that development proposals likely to cause noise are supported by adequate assessment and that proposals should be designed and mitigated to ensure occupiers of noise sensitive properties are not adversely affected. The proposed generator is an emergency back-up generator and is only proposed to be utilised in the event of a loss of mains power. The generator proposed has been deliberately specified by the applicant to be a “Super Silent” model. The Noise Impact Assessment submitted in support of the application applies conservative assumptions and indicates that, assuming closed windows, that noise levels would not exceed 27 dB LAeq_{1 hour} within any nearby residential dwellings. Recommended internal noise level limits based on BS8233 and WHO Guidelines are 35 dB LAeq_{16 hour} for daytime and 30 dB LAeq_{8 hour} at night-time. As such occupiers of residential properties would not be adversely affected and the proposal complies with Policy ENV9. The noise level may reach 31 dB LAeq_{1 hour} within the nearest part of the care home (which on the ground floor is the kitchen and one of multiple communal living rooms, with bedrooms on the first floor). It is considered that this slight exceedance of advisory night-time noise level limits can be tolerated for a short period given the wider benefit the generator would supply to this facility.
- 7.13 From within the garden curtilage of Thompson Court a noise level of up to 52 dB LAeq_{1 hour} is predicted, while within the garden curtilages of 1-5 Church Road (approximately 15m away) a noise level of 48 dB LAeq_{1 hour} is predicted. These noise levels would not be acceptable on a permanent basis and would notably change the character of this residential area, adversely affecting residential and local amenity. The noise impact assessment concludes that the occasional temporary operation of the emergency generator is “unlikely to have any long-term or short-term noise impact on local residents”. Eden District Council’s Environmental Health Department are satisfied with the noise impact assessment undertaken and consider that, in the context of the generator’s emergency only use, that the noise levels are acceptable for limited operational times in a residential area. I have no reason before me to differ from these views. A condition is proposed to limit the circumstances of use of the proposed generator in order to protect local and residential amenity.

Other Material Considerations

- 7.14 **Biodiversity:** The proposal would result in the loss of a small maintained grassed amenity area and the displacement of 3-4 mature shrub plants. A condition is proposed to secure the retention and re-siting of these shrub plants elsewhere in the grounds of the care-home so that the biodiversity benefit of these mature plants is not lost. The existing beech hedgerow would be retained. The proposed mitigation hedgerow planting would provide a more biodiverse mix, with the succession of flowers from blackthorn to hawthorn supporting pollinators and their berries and form supportive to birds and other species. As such I am satisfied that, subject to conditions, this proposal would protect and where possible enhances biodiversity in line with EDCLP Policy Dev5.
- 7.15 **Landscape:** Paragraph 176 of the NPPF directs that great weight should be

given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB) as these have the highest status of protection in relation to these issues. Policy ENV3 of the EDCLP sets out that non-major development within the North Pennines AONB will only be permitted where each of the following criteria apply: - 1. Individually or cumulatively, it will not have a significant or adverse impact upon the special qualities or statutory purpose of the AONB; 2. It does not lessen or cause harm to the distinctive character of the area, the historic environment, heritage assets and their setting; 3. It adheres to any formally adopted design guides or planning policies, including the North Pennines Management Plan, the North Pennines AONB Planning Guidelines, and the North Pennines AONB Building Design Guide. The proposal would not have an impact at the landscape level and would not adversely affect the scenic beauty of the town or the special qualities or statutory purpose of the AONB individually or cumulatively. It does not lessen the distinctive character of the historic built environment or its immediate local area, though some less than substantial harm to the setting of the conservation area has been identified. The AONB Planning Guidelines has no prescriptive guidance for this type of development but key principles from it are applied with existing hedgerows being maintained and recommended shrub plants (blackthorn and hawthorn) being provided to enhance biodiversity. Thus, I consider the proposal to be largely compliant with policy ENV3.

- 7.16 **Flood risk:** I have liaised further with the LLFA and they have confirmed that they have no records of any flooding occurring to Church Road. The proposal would result in the loss of a small permeable grassed area and its replacement with an impermeable hard surfaced area. The applicant sets out that a concrete base is required to cater for the 4 tonnes plus weight of the equipment on top of it and that there is no scope to reduce it further in footprint to withstand the loading. The provisional of additional hedgerow planting would serve to offset some of the water absorption capacity of this parcel of land lost to the footprint of the compound. As such I consider the proposal would not be likely to increase surface water flood risk off site.
- 7.17 **Utilities:** Policy DEV2 of the EDCLP sets out that new development should be located to avoid risk to the water supply or includes sufficient mitigation measures to ensure that there is no risk to water supply. It is considered that application of the planning condition suggested by United Utilities would serve to secure compliance with this aspect of Policy DEV2.

Other Matters

- 7.18 The applicant's agent has confirmed that vehicular access to the Grisedale Croft and its car-park would be maintained throughout the construction phase and as such access to the home's community garden space would be unaffected during the construction phase.

8.0 CONCLUSION

- 8.1 The applicant has demonstrated a clear and justified need for a back-up generator for emergency use at this important community facility that cares for vulnerable individuals. This need has strong support from the EDCLP and NPPF which promote climate resilient places that are healthy and safe. The siting of the proposal is far from ideal in terms of the local street-scene however, a package of mitigation has been provided which would reduce its impact on the street scene and the nearby conservation area. The harm to the setting of the

conservation area constitutes less than substantial harm, with the harm falling at the most minor end of the scale of harm found within the category of less than substantial harm. The public benefit of ensuring a robust and resilient care facility for vulnerable members of the community is considered to outweigh the low degree of less than substantial harm identified.

- 8.2 Although the generator has been specified, sited, and designed to minimise its potential noise impact, the level of noise it generates would not be acceptable in a residential area such as this on a permanent operational basis. As such, a condition is proposed to ensure its use is limited to the absolute minimum necessary.
- 8.3 In summary, it is considered that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions proposed, any potential harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development. It is therefore recommended that this application be granted subject to conditions.
- 8.4 **Human Rights:** The proposal will have a limited impact on the residential amenities in the area. Any impacts on the rights of local property owners to a private and family life and peaceful enjoyment of their possessions (Article 8 and Article 1 of Protocol 1 of the Human Rights Act 1998) are minimal and proportionate to the wider social and economic interests of the community.

Angela Jones
Executive Director for Economy and Infrastructure

Contact: Mr Edward Page

Electoral Division Identification: Alston and East Fellside - Cllr Claire Driver

Development Control and Regulation Committee – 15 July 2022

Appendix 1 - PROPOSED PLANNING CONDITIONS

Time Limit for Implementation of Permission

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Approved Scheme

2. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:
 - a. The submitted Application Form for Full Planning Permission – dated 11 March 2022
 - b. Planning Supporting Statement - as updated 27 May 2022
 - c. Design and Access Statement - Updated Version submitted 22 April 2022
 - d. Super Silent Generator Specification Sheet
 - e. Location Plan of Grisedale Croft Elderly Persons Home
 - f. Proposed Site Plan (1:200 scale with Proposed and Existing Elevations and Visual Impression) - Drawing No. 7651/E01 - Rev. P5
 - g. Proposed Plan (1:50 scale) - Drawing No. 7651/E02 - Rev. P4
 - h. Email of 23 June 2022 (10.35am) from Day Cummins re concrete base
 - i. The details/schemes approved in accordance with the conditions attached to this permission

Reason: To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.

Protection of Water Main Infrastructure

3. No development (including any earthworks) shall commence until details of the means of ensuring the water main that is understood to be in proximity to it is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include:
 - a survey that identifies the exact location of the water main,
 - assessment of the potential impacts on the water main from construction activities (including any construction compound) and use of the completed development on the water main infrastructure;
 - identification of mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water main both during construction and post completion of the development.
 - Commitment to undertaking pre and post-construction condition survey of the water main.

Any mitigation measures shall be implemented in full in accordance with the approved details and timetable and shall be retained thereafter for the

operational lifetime of the development.

In the event that the survey of the water main identifies the generator and associated structures as being within a 5m standoff either side of the water main, the developer shall submit evidence to the Local Planning Authority that a diversion has been agreed with the relevant statutory undertaker and that the approved diversion works have been undertaken prior to the commencement of development.

Reason: In the interest of public health and to ensure protection of the public water supply infrastructure.

Translocation of Existing Shrub Planting

4. No development shall take place until the existing shrub planting present within and immediately adjacent to the footprint of the proposed emergency generator compound has been translocated to elsewhere in the gardens of the care home. The translocation of the shrub planting should be undertaken between 1 September to 31 March if feasible. If translocation takes place outside this time period, then additional measures shall be put in place to secure the successful establishment of the translocated plants.

Reason: To retain existing mature shrubs affected by the development on site in the interest of minimising the impact of the development upon biodiversity.

Hedgerow Planting

5. The additional hedgerow planting shown and detailed on the Proposed Plan – (Drawing No. 7651/E02 - Rev. P4) and Page 2 of the updated version of the Design and Access Statement submitted 22 April 2022, shall be planted in at least a double-staggered arrangement, and shall be planted the first available planting season (1 November to 31 March) following the installation of the generator or oil tank.

Should any of the hedgerow plants die or become seriously damaged or diseased, within a period of 5 years after planting, then they must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless the Local Planning Authority gives written consent to any variation of species.

Once established the new hedgerow shall be maintained at a height and in a condition so that it screens views of the generator and oil tank (and their fenced compound) from Church Road.

The existing and new hedgerow shall be retained for the duration of the presence of the generator and the oil tank (and their compound area) at this site.

Reason: In the interests of visual amenity and protecting the character of the local street scene and in order to secure a biodiversity net-gain in accordance with Eden District Council Local Plan 2014-2032 (EDCLP) policies, ENV1, ENV2 and ENV4.

Restriction on Operational Use of the Emergency Generator

6. The emergency back-up generator hereby permitted shall only be operated in the event of the loss of the mains power supply at the care-home (or any loss of any alternative decentralised electricity supply that could potentially replace

mains power supply in the future).

For the avoidance of doubt, this condition shall not act to prevent or restrict work associated with the maintenance of the generator which may require bringing it into use for maintenance or service checks.

Reason: To restrict the operational noise impact of the generator in order to protect local residential amenity and the character of the area.

Appendix 2 - PLAN OF SITE LOCATION/EXTENT

