

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2078/0F1
2.	Proposed Development:	PROPOSED RESIDENTIAL DEVELOPMENT OF 4 DWELLINGS AND ASSOCIATED INFRASTRUCTURE
3.	Location:	HIGH HOUSE, GREENBANK, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change, PROWs - Public Right of Way
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location:	This application relates to a small area of land covering 0.3 hectares which is located at High House within the Greenbank area of Whitehaven. The site is currently used as a small holding and is occupied by the existing farmhouse and several dilapidated farm buildings.

The site is flanked by residential properties to the north and west which form part of the modern Edgehill housing estate. Open fields lie to the east and south.

Access is taken from a small road to the northeast which connects the site to Gameriggs Road on the Greenbank estate.

The site lies in Flood Zone 1.

Relevant Previous Planning Applications:

Change of use of domestic garage to domestic garage and part time motor repair garage, approved in July 1988 (application reference 4/88/0894/0 relates);

Erection of extension over kitchen and two storey extension, approved in September 2002 (application reference 4/02/0375/1 relates).

Proposal:

This application seeks Full Planning Permission for the erection of 4no. dwellings which are to be arranged adjacent to and opposite the existing farmhouse which is to be retained and renovated as part of the proposal.

The two proposed dwellings either side of the farmhouse will consist of three bedrooms. Two larger dwellings opposite will contain four bedrooms. The dwellings will be constructed from off white render and red sandstone with grey tiled roofs.

The existing access which comprises a lane off Gameriggs Road is to be retained and improved to serve the five properties on the site. A turning head is to be provided which will provide sufficient space to accommodate refuse vehicles.

The proposed dwellings are to be arranged in a linear form around the access road. Each plot will benefit from off road parking to the front of the dwellings. The two larger houses have also been designed with integral garages to provide additional parking provision. Boundaries between the properties will be formed by hedgerows with shrubs, wildflower grass and lawned areas providing amenity space.

It is proposed to dispose of foul water to the public main and surface water to a watercourse through a controlled discharge.

Consultation Responses

Whitehaven Town Council

No objections.

Highways and Local Lead Flood Authority

1st Response

Highway Comments

The Local Highway Authority has reviewed the submitted information and can confirm that the site is accessed from an un-adopted road. Based on the scale and location of the development (i.e. some 120m from the highway), the LHA is satisfied that the proposal will not have a material impact on the existing adopted highway network. The LHA therefore raises no objection in principle to the proposal.

However, the LHA requests that the following matters be addressed and clarified before any approval is considered (please also refer to the standards in the CDDG):

- The applicant must demonstrate a plan showing a minimum carriageway width of 3.7 metres to allow for the passage of fire tenders and larger vehicles such as refuse trucks.
- A passing place at 60 metres (or mid-way) along the lane is required as there is no inter-visibility along its length.
- The lane itself will be required to be designed and constructed to an acceptable standard to the LHA. We suggest an adoptable design is used.
- All internal estate roads serving the dwellings should be designed to adoptable standards.
- Visitor parking is required. For 4 dwellings there should be at least one space in a communal area (the end of the turning head would suffice).
- The shared surface driveway / street should be a minimum width of 4.8 metres wide.
- All dimensions and specifications must be clearly shown on an updated plan.
- The applicant should confirm the internal dimensions of the proposed garages to ensure they meet current standards to be considered as a parking space. In order to accommodate modern large family cars, as well as providing some storage, the internal dimensions should be 3.6m x 7m.
- Clarification is required regarding how refuse will be collected from the site. Please provide a swept path diagram for the turning head.
- If refuse collection is intended to occur at the site entrance a designated bin collection/storage point must be provided within the site boundary (not within the highway verge). This must also be shown on the site plan.

LLFA Comments

The LLFA notes that the proposed drainage strategy intends to discharge surface water via a soakaway. Before this can be accepted, the following information is required

Existing site drainage, - a statement is required on how the site currently drains, including existing drainage routes, ground conditions, any known local surface water issues.

BRE 365 Infiltration Testing is required to demonstrate infiltration is viable at this stage. If not suitable, then an alternative strategy should be proposed following the NPPF drainage destination hierarchy.

Conclusion

The LHA and LLFA have no objection in principle to the proposed development; however, additional details and information is required as set out above. These matters should be addressed by the applicant before further consideration of the application.

2nd Response

Local Highway Authority response:

I note the following points / design considerations which I find acceptable from the LHA point of view:

There are suitable refuse collection arrangements

There is sufficient parking and turning provision for the four houses

The internal access roads have the necessary service and clearance strips

The access road will be a private management arrangement but the LHA will still insist that it is designed and built to acceptable standards (to be Conditioned)

Lead Local Flood Authority response:

Thank you for consulting the Lead Local Flood Authority (LLFA) on the above application. Having reviewed the submitted Drainage Strategy Report, we note inconsistency between the proposed surface water drainage strategy outlined in Sections 8 and 9 of the report. Section 8 (Surface Water Drainage Strategy) states that infiltration has been demonstrated as not feasible based on BRE testing and instead proposes discharge of surface water to an ordinary watercourse, with attenuation provided via an oversized pipe system controlled by a hydrobrake at the greenfield runoff rate.

However, Section 9 (Proposed Surface Water Drainage Design) contradicts this approach by describing a completely different drainage solution, namely the use of infiltration crates discharging to ground. Furthermore, this section identifies soakaways as viable, which directly conflicts with the earlier conclusion that infiltration is not feasible. As such, it is unclear which drainage strategy is being proposed and assessed, and the submitted information cannot be relied upon.

In addition, the strategy outlined in Section 8 (oversized pipe attenuation with discharge to a watercourse) does not demonstrate the provision of adequate water quality treatment in accordance with the CIRIA SuDS Manual (C753). While Section 9 attempts to justify treatment through infiltration-based SuDS components, this is inconsistent with the non-infiltration strategy described in Section 8 and therefore cannot be considered valid. The submission does not clearly demonstrate an appropriate SuDS treatment train (e.g.

permeable paving, filter drains, or other vegetative systems) to provide the necessary level of treatment prior to discharge to the receiving watercourse.

Conclusion:

The LHA have no objection to the proposal, The LLFA will need clarity on the surface water drainage proposal.

The submitted drainage information is not acceptable in its current form due to conflicting drainage strategies between Sections 8 and 9, Inconsistent statements regarding infiltration feasibility, failure to demonstrate appropriate water quality treatment in line with CIRIA SuDS guidance for the proposed (non-infiltration) solution.

The applicant will need to clearly define and confirm a single, coherent drainage strategy and ensure that the proposed design is consistent throughout all sections of the report and supporting drawings. Provide details of a compliant SuDS treatment train appropriate to the final drainage solution and discharge route.

Informatory Statements:

Any works within or near the Highway must be authorised by Cumberland Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit (I.E Section 184 Agreement) allowing such works.

Enquires should be made to Cumberland Councils Street Work's team -

streetworks.central@cumbria.gov.uk

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

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

3rd Response

Having reviewed the updated Drainage Strategy (May 2026), I could not identify any substantive changes from the April submission. While Appendix (May 2026) includes a plan showing discharge to the watercourse, the documents appear inconsistent. The Strategy (S8) refers to discharge to a river, whereas the Design (S9) proposes an infiltration approach. The treatment measures set out in S9.6 are also based on infiltration, which is not considered viable in this case.

Since there are no changes, my response of 21/5/26 therefore still also applies.

4th Response

Local Highway Authority response:

I note the following points / design considerations which I find acceptable from the LHA point of view:

- There are suitable refuse collection arrangements
- There is sufficient parking and turning provision for the four houses
- The internal access roads have the necessary service and clearance strips
- The access road will be a private management arrangement but the LHA will still insist that it is designed and built to acceptable standards (to be Conditioned)

Lead Local Flood Authority response:

The revised drainage strategy and design report satisfactorily demonstrates that infiltration is not viable, so the controlled discharge to the adjacent watercourse is considered an acceptable receptor. The revised design also includes a dynamic separator to address the treatment requirement.

Conclusion:

The LHA and LLFA have no objection to the proposals but would suggest that the following conditions are included in any consent granted:

The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority 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 commence until a full specification has been approved. Any works approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety.

Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) 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 in accordance with the schedule.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere.

Informative: Before undertaking any works in or affecting a watercourse, contact the Lead Local Flood Authority email: LFRM.consent@cumbria.gov.uk) to confirm whether Ordinary Watercourse Flood Defence Consent is required. Where consent is required, a fee applies and determination can take up to two months.

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

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

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

Countryside Access Team

We have no objection to the development. However, it should be noted that the recorded line of Public Right of Way FP 431031 passes along the existing access track to the proposed development. See attached plan.

The line shown on the PROW Plan – Additional Information submitted in July is incorrect. The applicant should contact the Countryside Access Team to discuss the effect of the proposed development on the alignment of the Public Right of Way.

The applicant must be advised that:

- The granting of planning permission would not give them the right to block or obstruct the Public Right of Way shown on the attached plan.
- The Public Right of Way as shown on the Definitive Map and Statement must be kept open and unaltered for public use until an order made to divert, extinguish or to temporarily close it has been confirmed.

Cumberland Housing Team

This application falls below the affordable provision threshold specified in Policy H8 in the Copeland Local Plan, and therefore the Housing team have no comments to make on this application.

Ecologist

1st Response

Request for More Information:

The County Ecologist notes that this development could be in an area of ecological value. Therefore, a Preliminary Ecological Appraisal (PEA) and any associated surveys and respective reports required as a result of the PEA must be undertaken and submitted to the council before this application can progress.

The applicant should note that any biodiversity gain in vegetated gardens cannot contribute to the overall BNG score, as it would be in the curtilage of private property and therefore cannot be legally secured.

2nd Response

Construction Environmental Management Plan (CEMP)

A CEMP should be produced to detail the procedures for protecting the environment during construction to address the following points (but not limited to):

- Pollution prevention control
- Dust mitigation
- Impaction of habitats
- Species protection during construction (see below)
- A sensitive lighting scheme for bats and other wildlife

As part of pollution prevention control, contaminants must not be allowed to enter the stream ~12m west of the site boundary. To this effect, spill kits should be provided on site. Re-fuelling of all plant and machinery should be undertaken away from open drains and water courses. Drip trays should be used under static machinery.

Breeding Birds

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

Small Mammals

All development work should be carried out with care to avoid small mammals such as hedgehogs. Contractors should be briefed about the potential presence of small mammals and should adopt the following precautionary method of works:

- All work must take place during daylight hours.
- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered.
- All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Stored materials should be raised (i.e. stored on pallets) in order to ensure that wildlife such as hedgehogs do not shelter in the piles.

The above measures will also ensure safeguarding of otters, badgers and brown hares. Should any of these three species be found on site, works are to stop until advice sought from a suitably experienced ecologist.

Bats

Work at night should be restricted, new planting within the site should enhance structural diversity and light spill onto the boundary should be minimised.

A bats-specific lighting scheme will be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Reptiles and Amphibians

The following precautionary points should also be followed.

All work must take place during daylight hours as amphibians are more likely to be commuting overnight and this will ensure the risk to any amphibians commuting through the site will be minimised.

During the development, measures should be put in place to discourage amphibians from using the development area, the creation of any piles of earth, materials and rubble which could form potential artificial hibernacula and refuge should be avoided at all times. It is recommended that any spoil or rubble will be removed immediately to skips, or on hard standing or short grass. This will ensure that no potential amphibian hibernation or resting sites are created.

The storage of all loose materials must be palletised or similar so they are off the ground whenever possible.

Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered. This will ensure amphibians are not trapped during work.

All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.

Habitat Management and Monitoring Plan

No development hereby permitted shall commence until:

- a) A Habitat Management and Monitoring Plan (HMMP) in place for 30 years is submitted to and accepted by the council.
- b) Monitoring results are to be programmed to be submitted to the council. These should include evidence demonstrating how BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be carried out in accordance with the approved plans.

BNG Informative

The effect of paragraph 13 of 7A to the Town and Country Planning act 1990 is that planning permission granted for the development of land in England is deemed to have been granted

subject to the condition ('the biodiversity gain condition ') that development may not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the local planning authority, and
- b) The local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be on which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for break of planning control.

Enhancements

Two bird boxes are to be integrated within the development to provide opportunities for breeding birds such as:

- Schwegler No. 17 swift nest box, and/or
- Schwegler 1SP sparrow terrace.

Two swallow or house martin cups are to be placed on the buildings to provide opportunities for breeding swallows. Examples of these are:

- Unitura House Martin Bowl,
- Vivara Pro WoodStone Swallow Bowl, and/or
- Ceramic Swallow Bowl.

Two bat boxes to be installed within the barn conversion, such as:

- The Habibat Bat Box, and/or
- Green&Blue Bat Box.

Environmental Health

There are no objections to this proposed development from Environmental Health. It would be sensible to limit construction working hours to match those on the adjacent Story Homes development site. Unless otherwise stated, the following condition may be imposed:

- Noise from construction works Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

United Utilities

1st Response

We request that the applicant provides a detailed drainage plan, and that United Utilities has the opportunity to review and comment on this plan PRIOR TO DETERMINATION of this application. Should planning permission be granted without the provision of this information we request the following condition is attached to any subsequent Decision Notice:

CONDITION

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

2nd Response

Following our review of the submitted drainage documents; Flood Risk Assessment, prepared by Waterway Drainage Engineering, Ref: 2025-064 and Drainage Strategy Rev: B, Dated April 2026, the drainage proposals are not acceptable to United Utilities. This is because we have not seen robust evidence that the drainage hierarchy has been thoroughly investigated, and we require for the proposed drainage plan to be updated with a clear view of the ultimate discharge point for both the surface water and foul along with the route for both sewers. We also require all cover and invert levels of this asset to be confirmed as well as the proposed finish floor levels. Should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

CONDITION

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Arboricultural Officer

DESCRIPTION OF PROPOSAL

Proposed residential development of 4 dwellings and associated infrastructure.

DISCUSSION

Following our site visit, we have the following comment/observation to make on the proposed development.

The applicant has submitted a Landscape Plan (Dwg. No.:WW/L01) and dated 27/10/25. This provides details of the general landscaping as part of the proposed development on the site, and includes a specification for the proposed trees and shrubs.

There is an existing scrub woodland area surrounding the perimeter to the east, south and west.

RECOMMENDATIONS

We recommend attaching the following condition to any planning permission:

- All landscape works must be carried out in accordance with the details illustrated on the approved Landscape Proposals plan (Dwg. No.:WW/L01) – dated 27/10/25) received by the Local Planning Authority.

The landscaping scheme shall be implemented in the first planting season following the completion of the development. Any existing trees that die, are removed, or become severely damaged or diseased, within five years of construction must be replaced the following planting season with trees of a similar species in a similar location, unless varied by written consent from the Local Planning Authority.

The Coal Authority

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Owing to the mine entry (shaft ref. 297515-007) being located upon, or close to, the existing access track, which is to be extended and upgraded as part of the development, the Coal Authority recommends that the LPA includes the following informative note on the decision notice:

Informative Note

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such

features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non- coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Public Representation

This application has been advertised by way of a site notice and neighbour notification letters issued to 13 no. properties.

One letter of concern has been received raising the following concerns:

- The application site currently forms part of a sloping, undeveloped and vegetated area which contributes positively to the character and setting of this part of Edgehill and the Greenbank estates. The presence of the gully and established tree cover provides a natural buffer and helps maintain a sense of openness when viewed from surrounding properties.
- While the site is not directly in the primary line of view from my property, it is clearly visible as part of the wider landscape setting. The introduction of four dwellings in this location would extend the built form further into what is currently a natural and open area, resulting in a noticeable visual intrusion that would be out of keeping with the existing character of the site.
- I am particularly concerned about the potential impact if vegetation were to be removed or reduced, as this would increase the prominence of the development and further erode the natural screening that currently exists.
- There are also established habitats within the gully and surrounding vegetation, and I would be concerned about the impact of the development on local wildlife if these areas are disturbed or destroyed.
- Given the sloping nature of the land, there is also concern that the scale, siting and elevation of the proposed dwellings could make them more visually prominent than anticipated, particularly when viewed from nearby residential properties.

Planning Policy:

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan:

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.

The policies relevant to this application are as follows:-

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Strategic Policy DS3: Planning Obligations

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy DS8: Soils, Contamination and Land Stability

Policy DS9: Protecting Air Quality

Strategic Policy H1: Improving the Housing Offer

Strategic Policy H2: Housing Requirement

Strategic Policy H3: Housing Delivery

Strategic Policy H4: Distribution of Housing

Strategic Policy H5: Housing Allocations

Policy H6: New Housing Development

Policy H7: Housing Density and Mix

Strategic Policy H8: Affordable Housing

Strategic Policy SC1: Health and Wellbeing

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Policy N14: Woodlands, Trees and Hedgerows

Strategic Policy CO2: Priority for improving transport networks within Copeland

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

Other Material Planning Considerations:

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

National Design Guide (NDG).

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Cumbria Development Design Guide (CDDG).

Copeland Strategic Housing Land Availability Assessment 2022.

Assessment:

Principle of the Development

Policies DS1 and DS2 of the LP seek to concentrate new dwellings within the settlement boundary of Whitehaven, which is designated as Copeland's Principal Town.

Policy H5 details sites that have been identified as being allocated for housing within the Copeland Local Plan.

The site falls within the existing settlement boundary for Whitehaven and is situated within an existing residential area with Greenbank to the north and Edgehill Park to the west. It is brownfield land and forms part of a larger allocated housing site in the Copeland Local Plan (ref HWH3).

On this basis, the principle of development is considered to be acceptable in policy terms.

Design and Impact on Residential Amenity

Policy DS4 of the LP and section 12 of the NPPF seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, suitable separation distances and open space.

Two dwelling types are proposed which closely reflect the design and appearance of the recently constructed detached properties on Edgehill Park to the north and west. The palette of materials which includes render and red sandstone is considered to be acceptable in this context.

The dwellings have been designed without windows for habitable rooms on the side elevations at first floor level, therefore mitigating any overlooking concerns for future occupants. The proposals have been designed to include and respect the aspect and setting of the existing Farmhouse.

The dwellings are considered to be of an appropriate scale and provision is made for adequate amenity space and parking provision. The existing slope across the site increases

the prominence of the garden areas and it is considered reasonable to include a restriction which limits permitted development rights to retain the existing semi rural nature of the site and also protect both visual and residential amenity.

On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Highways Impacts

Strategic Policy CO4 requires that proposals must include safe and direct connections to routes that promote active travel, such as cycling and walking routes where appropriate. Support in principle is outlined for developments which encourage the use of sustainable modes of transport, in particular: proposals that have safe and direct connections to cycling and walking routes where appropriate and those that provide access to regular public transport services; proposals that make provision for electric vehicles; and proposals for the integration of electric vehicle charging infrastructure into new developments. It is required that developments that are likely to generate a large amount of movement secure an appropriate Travel Plan and be supported by a Transport Assessment.

Policy CO7 of the Copeland Local Plan states that proposals for new development will be required to provide adequate parking provision, including cycle parking and accessible parking bays, in accordance with the Cumbria Development Design Guide (or any document that replaces it) where appropriate.

Furthermore, Policy H6 of the LP requires that a safe access to the front and rear of the property is available, adequate off street parking is within close proximity to the site and cycle space is provided if possible.

The initial response from the Highway Authority requested a number of amendments to make the proposal acceptable including the widening of the access road, a passing place, an adoptable design for the access road, a visitor parking space, dimensions and specifications of garages and driveways and clarification for the collection of refuse.

Several iterations of amended plans were received to satisfy the concerns of the Highways Authority and their final response raised no objections to the proposal.

Parking has been provided for each property – with three spaces for the four bedroomed properties and two spaces for the three bedroomed properties. A single visitor space is also available for use.

The access road has been designed to be wide enough to accommodate the requirements of the Highways Authority. Refuse collection will be close to the Greenbank estate.

The access road currently serves other properties and it is considered that the addition of a further four residential properties is unlikely to have a detrimental effect on the existing road network.

A public right of way (PROW 431031) passes along the existing access track that serves the site. The Countryside Access Officer has requested that the Applicant contact the Countryside Access Team to discuss the effect that the proposed development may have on the alignment of the Public Right of Way. No objections were raised with an informative suggested to ensure that the PROW is not obstructed.

On this basis the proposal is considered to be compliant with the Policy CO4, CO7 and H6 of the Copeland Local Plan, and provisions of the NPPF.

Drainage

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1.

The LLFA and UU requested information to ensure that the ground is suitable for infiltration and further information was provided by the Applicant which demonstrated that this was not a reasonable drainage solution due to ground conditions.

A detailed drainage scheme can be secured by the use of appropriately worded planning conditions.

On this basis the proposal is considered to be compliant with the Policy DS6 and DS7 of the Copeland Local Plan, and provisions of the NPPF. The inclusion of appropriately worded planning conditions will secure proper drainage within the site and will manage the risk of flooding and pollution, ensuring that the development complies with the LP and the provisions of the NPPF.

Biodiversity Net Gain and Ecology

Policy N3 of the LP requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1 above. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however except from these BNG requirements.

Based on the information available this permission is considered to require BNG. The submitted BNG assessment states the following:

“Approximately two thirds of the existing area of modified grassland is to be lost from the site, being principally replaced with new vegetated garden. The remaining third of the modified grassland (to the bank of the access track) is to be enhanced to other neutral grassland in moderate condition via overseeding and establishment of a cut-and-collect regime.

Approximately 90% of the existing bramble scrub is to be enhanced to mixed scrub in moderate condition via supplementary planting of new shrubs, small trees and establishment of species-rich grassland.

Approximately 85% of the mixed scrub to the south of the site is to remain undeveloped and be enhanced from poor to moderate condition.

Over 0.03ha of new mixed scrub will be re-established around the fringes of the site (bordering garden areas to the south and replacing some of the bramble scrub to the west lost during demolition of the workshop and garage).

New garden areas will be established, replacing much of the former yard.

Small areas of introduced shrub will be created to the site entrance, being accompanied with two small rural trees. Approximately 32m of species-rich native hedgerow with trees will flank the proposed site entrance.

In line with the BNG guidelines, all hedgerow, tree and shrub planting demarcated within the proposed garden areas have been assessed as part of the wider vegetated garden classification (owing to possible retention issues).

Based on the completed Statutory Biodiversity Metric they would comprise a total of 1.25 habitat units.”

A suitably worded planning condition is required to ensure that BNG is delivered and maintained on the site in addition to the statutory requirement to submit a Biodiversity Gain Plan.

Landscaping

The site does not contain any trees that have tree protection orders.

A landscaping plan was submitted with the application which seeks to provide general landscaping, new trees and shrubs. The Arboricultural Officer has confirmed that this information is sufficient but has requested that the details within the report must be complied with in order to ensure sufficient protection for the existing on site vegetation. A suitably worded planning condition is therefore proposed.

Ground Conditions

Policy DS8 of the Copeland Local Plan relates to contamination and ground stability. The Policy seeks to ensure that detrimental land quality is identified and remediated.

	The application was accompanied by a Coal Mining Risk Assessment which concluded that whilst parts of the site lie within a Coal Authority High Risk Development Area, no recorded shallow coal workings or mine entries exist beneath the proposed development footprint. Recommendations were made relating to the foundations and constructing under the supervision of an engineer. The Coal Authority raised no objections to the proposal but offered standing advice which can be included as an informative on the decision notice. The development is considered to comply with Policy DS8 of the Copeland Local Plan. Planning Balance: The site is allocated for housing in the adopted Local Plan and lies within the designated development boundary for Whitehaven, which is defined as Copeland's Principal Town. The principle of development is therefore considered to be appropriate. The development of a brownfield allocated site will provide new housing in accordance with Policies H1 and H5 which will help to boost housing supply within Whitehaven. The proposed dwellings are of an acceptable scale and design and will be seen in connection with the adjoining modern housing estate at Edgehill. Issues relating to drainage and access and parking have been addressed and can be secured by planning conditions. Additional landscaping is proposed to enhance the existing site and the submitted details demonstrate that BNG is achievable on the site. This can be secured and maintained by planning conditions. On balance, this is considered to be an acceptable form of development which accords with the policies set out in the Local Plan and the guidance in the NPPF.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: <u>Standard Conditions</u> The development hereby permitted shall be commenced 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 the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Application form, received 2nd March 2026;
Proposed Location Plan, scale 1:500, drawing number 2357 012, received 2nd March 2026;
Location Plan, scale 1:1250, drawing number 2357 001 a, received May 2026;
Proposed Site Plan, scale 1:500, drawing number 2357 010 C, received May 2026;
Proposed House Type 1, scale 1:100, drawing number 2357 011, received 2nd March 2026;
Proposed House Type 2, scale 1:100, drawing number 2357 012, received 2nd March 2026;
Drainage Appendices, received June 2026;
Biodiversity Net Gain Statement, written by Envirotech, received 2nd March 2026;
BNG Habitat Schedule, written by Westwood Landscape Design, received 2nd March 2026;
Coal Mining Risk Assessment, written by Arbtech, received 2nd March 2026;
Landscape Plan, scale 1:200, drawing number WW/L01, received 2nd March 2026;
Plant Schedule, written by Westwood Landscape Design, received 2nd March 2026;
Flood Risk Assessment, drawing number 2025-064 A, written by Waterway Drainage Engineering, received 2nd March 2026;
Drainage Strategy Report, drawing number 2025-064 B, written by Waterway Drainage Engineering, received June 2026;
Planning Statement, written by SRE Associates, received 2nd March 2026;
Design and Access Statement, received 2nd March 2026;
Preliminary Ecological Appraisal, written by Envirotech, received 2nd March 2026;
Fire Appliance Swept Path, scale 1:200, drawing number 2357 011 a, received May 2026.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Prior to Commencement of Development Conditions

- 3 Prior to the commencement of development, a Habitat Management and Monitoring Plan must be submitted to and approved in writing by the local planning authority.

The Habitat Management and Monitoring Plan must include the following:

- i. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post

	development over a minimum period of 30 years. ii. Planned management activities including details of site-wide aims and objectives. iii. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works. iv. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve. v. Details of monitoring methods and a monitoring reporting schedule. vi. Details of adaptive management approaches. Reason In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.
4.	Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include: (i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water; (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and (v) Foul and surface water shall drain on separate systems. The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes

shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Prior to First Occupation Conditions

5. The carriageway, footways, footpaths, cycleways etc must be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before the first occupation of the dwellings hereby approved. The approved works must be completed prior to the first occupation of the dwellings hereby approved.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy CO7 of the Copeland Local Plan 2021-2039.

6. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) must be submitted to the Local Planning Authority for approval prior to the first occupation of the dwellings hereby approved. Any approved works must be implemented prior to the development being completed and must be maintained thereafter in accordance with the schedule.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere and in accordance with Policies DS6 and DS7 of the Copeland Local Plan 2021-2039.

7. A Construction Environmental Management Plan (CEMP) must be produced and submitted to the Local Planning Authority to detail the procedures for protecting the environment during construction to address the following points (but not limited to):

- Pollution prevention control
- Dust mitigation
- Impaction of habitats
- Species protection during construction (see below)
- A sensitive lighting scheme for bats and other wildlife

The document must be submitted and approved, prior to the first occupation of the dwellings and its mitigation and conclusions adhered to at all times.

Reason

In the interests of protecting the environment during construction and in accordance with Policy N3 of the Copeland Local Plan 2021-2039.

8. The development hereby approved must not be occupied until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 3 have been completed in accordance with the approved details.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

9. Prior to the first occupation of the dwellings hereby approved, the following mitigation measures must be incorporated into the development:
- Two bird boxes are to be integrated within the development to provide opportunities for breeding birds
 - Two swallow or house martin cups are to be placed on the buildings to provide opportunities for breeding swallows
 - Two bat boxes to be installed, such as:

Reason

In the interests of ensuring enhancements for local wildlife and in accordance with Policy N1 of the Copeland Local Plan 2021-2039.

Other Conditions

10. Noise from construction works Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason:

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

11. All landscape works must be carried out in accordance with the details illustrated on the approved Landscape Proposals plan (Dwg. No.:WW/L01) – dated 27/10/25) received by the Local Planning Authority.

The landscaping scheme must be implemented in the first planting season following the completion of the development. Any existing trees that die, are removed, or become severely damaged or diseased, within five years of construction must be replaced the following planting season with trees of a similar species in a similar location, unless varied by written consent from the Local Planning Authority.

Reason

In order to maintain the vegetation on site and in accordance with Policy DS6 of the Copeland Local Plan 2021-2039.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings, nor shall any detached building,

enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity and in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Informative Notes

Biodiversity Net Gain - Applies

1) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

Coal Advice

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological

features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one ? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non- coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>



Cumberland Council

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Highway/LLFA Advice

Before undertaking any works in or affecting a watercourse, contact the Lead Local Flood Authority email: LFRM.consent@cumbria.gov.uk) to confirm whether Ordinary Watercourse Flood Defence Consent is required. Where consent is required, a fee applies and determination can take up to two months.

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

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

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

Ecology

Breeding Birds

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

Small Mammals

All development work should be carried out with care to avoid small mammals such as hedgehogs. Contractors should be briefed about the potential presence of small mammals and should adopt the following precautionary method of works:

- All work must take place during daylight hours.
- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered.

- All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Stored materials should be raised (i.e. stored on pallets) in order to ensure that wildlife such as hedgehogs do not shelter in the piles.

The above measures will also ensure safeguarding of otters, badgers and brown hares. Should any of these three species be found on site, works are to stop until advice sought from a suitably experienced ecologist.

Bats

Work at night should be restricted, new planting within the site should enhance structural diversity and light spill onto the boundary should be minimised.

A bats-specific lighting scheme will be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Reptiles and Amphibians

The following precautionary points should also be followed.

All work must take place during daylight hours as amphibians are more likely to be commuting overnight and this will ensure the risk to any amphibians commuting through the site will be minimised.

During the development, measures should be put in place to discourage amphibians from using the development area, the creation of any piles of earth, materials and rubble which could form potential artificial hibernacula and refuge should be avoided at all times. It is recommended that any spoil or rubble will be removed immediately to skips, or on hard standing or short grass. This will ensure that no potential amphibian hibernation or resting sites are created.

The storage of all loose materials must be palletised or similar so they are off the ground whenever possible.

Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than

of 45 degrees in angle. Ideally, any holes should be securely covered. This will ensure amphibians are not trapped during work.

All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.

Countryside Access – Public Right of Way

- The granting of planning permission would not give them the right to block or obstruct the Public Right of Way shown on the attached plan.
- The Public Right of Way as shown on the Definitive Map and Statement must be kept open and unaltered for public use until an order made to divert, extinguish or to temporarily close it has been confirmed.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Sarah Papaleo

Date : 11/08/2026

Authorising Officer: N.J. Hayhurst

Date : 14/08/2026

Dedicated responses to:-