

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2159/DOC	
2.	Proposed Development:	DISCHARGE OF CONDITIONS 6, 7, 12, 13 AND THE REQUIREMENTS OF BIODIVERSITY NET GAIN OF PLANNING APPLICATION 4/24/2281/001	
3.	Location:	NEW HOUSE FARM, DRIGG	
4.	Parish:	Drigg and Carleton	
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Drigg 3KM, Outer Consultation Zone - Sellafeld 10KM, PROWs - Public Right of Way	
6.	Publicity Representations & Policy	Neighbour Notification Letter	No
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location		

This application relates to New House Farm, located within the centre of the village of Drigg. The site is bounded to the north by the B5344 to the north and Station Road to the east. Residential dwellings bound the east and south west, with open countryside to the south. The site formally comprised of a main farmhouse, outbuilding, cattle shed, dutch barn, stone barn, and piggery, however these have now all been demolished following prior notification being granted for their removal in 2024.

Relevant Planning History

4/23/2298/0F1 – Prior notification application for demolition of cattle shed; dutch barn; stone barn; piggery; house, outbuilding – Withdrawn.

4/24/2008/0F1 – Prior notification application for demolition of cattle shed; dutch barn; stone barn; piggery; house, outbuilding – Approved.

4/24/2281/0O1 – Outline application for the erection of two modern agricultural sheds and farmhousing building (all matters reserved expect for access) – Approved.

4/25/2033/DOC – Discharge of conditions 3 and 4 of planning application 4/24/2008/0F1 – Approved.

4/26/2048/0R1 – Application for approval of reserved matters relating to appearance, landscaping, layout & scale pursuant to planning approval 4/24/2281/0O1 – Approved.

4/26/2255/0B1 – Variation of condition 2 (plans) of planning application 4/26/2048/0R1 – Application for approval of reserved matters relating to appearance, landscaping, layout & scale pursuant to planning approval 4/24/2281/0O1 – Ongoing.

Proposal

In November 2024, outline planning permission was granted (ref: 4/24/2281/0O1) for the erection of two modern agricultural sheds and farmhousing building (all matters reserved expect for access)

This current application seeks to discharge conditions 6, 7, 12, 13 and the BNG requirements of planning approval 4/24/2281/0O1.

These conditions state the following:

6. Prior to the commencement of the works hereby approved a Biodiversity Net Gain Plan must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved document at all times thereafter.

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.

7. Prior to the commencement of development/the development must not commence until a Habitat Management and Monitoring Plan has been 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.

12. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme must 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 Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - 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 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 must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes must 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 in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

13. Development must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP must include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- surface water management details during the construction phase



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The development must be carried out in accordance with the approved details at all times thereafter.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

The information submitted in support of the application comprises the following:

- Application Form (Amended), received by the Local Planning Authority on the 2nd June 2026.
- Biodiversity Net Gain Assessment, Prepared by Waterway Drainage Engineering March 2026, Ref: 2026-032, Rev: B, received by the Local Planning Authority on the 2nd June 2026.
- Habitat Management and Monitoring Plan (Amended), Prepared by Waterway Drainage Engineering May 2026, Version: 26-049 B, received by the Local Planning Authority on the 10th June 2026.
- Appendix A – Pre Development Baseline Habitats, Scale 1:300, Drawing No: 2026-032-001, received by the Local Planning Authority on the 2nd June 2026.
- Appendix B – Post Development Baseline Habitats, Scale 1:300, Drawing No: 2026-032-002, Rev: F, received by the Local Planning Authority on the 2nd June 2026.
- Flood Risk Assessment & Outline Drainage Strategy, Prepared by Avison Young November 2023, Version: 1, received by the Local Planning Authority on the 2nd June 2026.
- Phase 2: Ground Investigation Report, Prepared by Geo Environmental Engineering December 2025, received by the Local Planning Authority on the 2nd June 2026.
- Traffic Management Plan (Amended) Prepared by RH Irving construction Ltd, received by the Local Planning Authority on the 29th June 2026.
- Traffic Route, received by the Local Planning Authority on the 2nd June 2026.
- Proposed Drainage Plan Sheet 1 of 2 (Amended), Scale 1:250, Drg No: WDS/05/9480/101, Rev: P01, received by the Local Planning Authority on the 6th August 2026.
- Proposed Drainage Plan Sheet 2 of 2 (Amended), Scale 1:250, Drg No: WDS/05/9480/102, Rev: P01, received by the Local Planning Authority on the 6th August 2026.
- Biodiversity Gain Plan, received by the Local Planning Authority on the 2nd June 2026.

- EcoGreen Plant Hire – Waterless Wheel Cleaning System, received by the Local Planning Authority on the 29th June 2026.
- Surface Water Run-Off (Pollution Prevention) Plan, received by the Local Planning Authority on the 29th June 2026.
- The Statutory Metric, received by the Local Planning Authority on the 10th June 2026.

Consultation Responses

Cumberland Council – Highway Authority & Lead Local Flood Authority

26th June 2026

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

Condition 6 –

The above Condition is not for the LHA nor the LLFA to discharge.

Condition 7 –

The above Condition is not for the LHA nor the LLFA to discharge.

Condition 12 –

The LHA and LLFA are content with the information/documents submitted to the LPA in support of the above condition, therefore the condition can be discharged.

Condition 13 –

The LHA and LLFA have reviewed the CTMP submitted to the LPA and require further detail on the following points,

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense.
- cleaning of site entrances and the adjacent public highway.
- details of proposed wheel washing facilities.
- surface water management details during the construction phase.

Therefore at this stage the above condition cannot be discharged

14 July 2026

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

Condition 6 –

The above Condition is not for the LHA nor the LLFA to discharge.

Condition 7 –

The above Condition is not for the LHA nor the LLFA to discharge.

Condition 12 –

The LHA and LLFA are content with the information/documents submitted to the LPA in support of the above condition, therefore the condition can be discharged.

Condition 13 –

The LHA and LLFA have reviewed the CTMP submitted to the LPA and require further detail on the following points,

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense. The above point has been addressed as Vaisala Survey for the Drigg area will be used as a dilapidation survey.
- cleaning of site entrances and the adjacent public highway.

The above point has addressed via new updated documents/plans submitted to the LPA in June 2026

- details of proposed wheel washing facilities.

The above point has addressed via new updated documents/plans submitted to the LPA in June 2026

- surface water management details during the construction phase.

The above point has addressed via new updated documents/plans submitted to the LPA in June 2026

Therefore condition 13 can be discharged.

3rd September 2026

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

Condition 6 –

The above condition is not for the LHA or LLFA to discharge.

Condition 7 –

The above condition is not for the LHA or LLFA to discharge.

Condition 12 –

We as the LHA and LLFA are content with the information/documents submitted in support of the above condition, therefore condition 12 can be discharged.

Condition 13 –

We as the LHA and LLFA are content with the information/documents submitted in support of the above condition, therefore condition 13 can be discharged.

United Utilities

9th July 2026

Further to our review of the submitted documents, Drawing WDS/05/9480/101, Rev P02 - Dated 21.1.2025, United Utilities recommends that condition 12 is not discharged. This is because we would expect the submitted drainage plan to clearly show the ultimate point of discharge to the existing sewer or watercourse.

22nd September 2026

Further to our review of the submitted documents, Drawing WDS/05/9480/101, Rev P02 - Dated 21/10/25, United Utilities has no objection to condition 12 being discharged.

Cumberland Council – Ecology Team

9th June 2026

Partial Discharge

Council Response

The County Ecologist accepts the Biodiversity Gain Plan and the associated metric and therefore Condition 6 can be discharged.

However, the metric states that individual trees will be planted as part of the post-development gain which have not been included within the HMMP, which needs to be addressed.

11th June 2026

Council Response

The County Ecologist accepts the Biodiversity Gain Plan and the associated metric, and the HMMP. Therefore Conditions 6 and 7 can be discharged as can the requirements of BNG.

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

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 the 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.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

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

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 N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (2026)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

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

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council - Strategic Housing Market Assessment and Objectively Assessed Housing Need (SHMA).

Assessment

This application seeks to discharge conditions 6, 7, 12, 13 and the BNG requirements of planning approval 4/24/2281/001.

Condition 6

Condition 3 seeks to discharge the requirements for the development to provide a Biodiversity Gain Plan. Following submission of amended information for this application, the Council's Ecologist have confirmed that this condition can be discharged.

Condition 7

Condition 7 seeks to discharge the requirements for the development to provide a Habitat Management and Monitoring Plan. Following submission of amended information for this application, the Council's Ecologist has confirmed that this condition can be discharged.

Condition 12

Condition 3 seeks to discharge the requirements for the development to provide a surface water and foul water drainage system for the development. Following submission of amended information for this application, the Lead Local Flood Authority and United Utilities have confirmed that this condition can be discharged.

Condition 13

Condition 13 seeks to discharge the requirements for the development to provide a construction traffic management plan. Following submission of amended information for this application, the Highway Authority has confirmed that this condition can be discharged.

BNG Requirements

This informative requires the submission of a Biodiversity Net Gain Plan. Following the amended information received for this application the Council's Ecologist has confirmed that the BNG informative can now be discharged.



Cumberland Council

	<u>Conclusion</u> It is therefore confirmed that conditions 6, 7, 12, 13 and the BNG requirements of planning approval 4/24/2281/001 can be discharged.	
8.	Recommendation: Approve discharge of conditions 6, 7, 12, 13 and the BNG requirements of planning approval 4/24/2281/001	
Case Officer: C. Burns		Date : 22.09.2026
Authorising Officer: N.J. Hayhurst		Date : 22.09.2026
Dedicated responses to:- N/A		