

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2188/0F1
2.	Proposed Development:	RENEWAL OF SURFACING TO CONCRETE YARD
3.	Location:	WOODEND LODGE, LAMPLUGH
4.	Parish:	Lamplugh
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report.
7.	Report: Site and Location This application relates to Woodend Lodge, a long-established farmstead adjoining Woodend Farm, located within the open countryside to the West of the centre of the village of Lamplugh. The site forms that of a group of both purpose-built farm buildings and a dwelling located to the northern side of the public highway that runs along the southern boundary of the site. Proposal Planning Permission is sought for the re surfacing of the existing farmyard. The proposed area of concreting will cover 727.6sqm around the existing farm buildings to help with the management of surface water run off for agricultural use associated with the working farm. Relevant Planning Application History 4/94/0199/0 - Demolition of shed & erection of hay barn/calf shed – Approved	

4/95/0042/0 – Agricultural storage shed – Approved

4/20/2157/0F1 – Concreting of existing farmyard – Approved

4/26/2134/0N1 – Prior approval for re surfacing of existing farmyard – Withdrawn

Consultation Responses

Lamplugh Parish Council

No response received within consultation period

Cumberland Council Ecologist

Confirmed no response required for this application.

Highways and LLFA

First response

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed in principle but would like the following point addressed before a final response can be submitted.

- The applicant has proposed to use concrete material within the area shown on the plans submitted to the LPA, as concrete is a impermeable material this will increase surface water runoff during prolonged rain periods, therefore the applicant needs to provide a detailed plan to show how surface water will be dealt with and contained within boundary of the development site and not encroach onto the highway or neighbouring properties.

Second response

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) welcome the additional information submitted to the Local Planning Authority (LPA) the additional plan has been reviewed and we can confirm as follows : Although the applicant has provided a plan showing existing drainage system within the site the LPA and LLFA would recommend the applicant is to provide a detailed plan showing a large aco style drain across the boundary between the site access and Highway, this drain is to prevent surface water runoff onto to the highway. The plan should also show where the drain will outfall

Third response

The Local Highway Authority and Lead Local Flood Authority welcome the additional plan submitted to the LPA in July 2026 showing proposed drainage to be installed on the highway boundary, The LHA and LLFA can now confirm that we have no objections to the proposal, we would however recommend that the following conditions are included in any consent you



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may grant:

Condition: Drainage as shown on approved plans shall be installed prior to any other construction being constructed within the development site.

Reason: In the interests of highway safety

Public Representations

This application was advertised by way of a site notice and neighbour notification letters issued to 4 properties. No comments were received as part of this consultation.

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 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 2021- 2016.

The following policies are relevant to this proposal:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Strategic Policy N3: Biodiversity Net Gain

Other Material Planning Considerations

National Planning Policy Framework (2024)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Assessment

The key issues raised by this application relate to the principle of the development; scale, design, and impact on residential amenity, flood risk and biodiversity net gain.

Principle of Development

The proposed application relates to a farmstead with residential dwelling situated within the open countryside, near Lamplugh.

Policy DS2 of the Copeland Local Plan lists exceptional circumstances where development within the open countryside will be supported. This includes where the proposal is for appropriate rural developments such as agricultural, forestry, farm diversification or tourism proposals which are dependent on such a location.

The proposal includes the re surfacing of the existing farmyard around the existing farm buildings to help with the management of surface water run off for agricultural use associated with the working farm.

On this basis, it is considered that the proposal falls within the exceptional circumstances for agricultural/farm diversification, and therefore the principle of development is considered acceptable in the context of Policy DS2.

Scale, Design and Impacts on Amenity

Policy DS4 of the Copeland Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

The proposed area of concreting will cover 727.6sqm around the existing farm buildings to help with the management of surface water run off for agricultural use associated with the working farm. Whilst this is a large area overall, this proposal involves a re surfacing of an existing farmyard. The proposed concrete area is a common feature within existing agricultural establishments and so is considered to accord with general agricultural character of the area.

Given this is a re surfacing of an existing concrete yard to support existing farming operations, the development is not considered to have a negative impact upon the surrounding area or to cause any demonstrable harm to amenity of the two dwelling houses that are located to the south of the site.



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The farm forms that of an operational livestock - cattle farm where some of the existing surfacing within the farmyard has become broken or uneven. The replacement of the existing surface will assist with surface water runoff and the general cleanliness of the farmyard.

Given the nature of the proposal, it does not alter the position for the neighbouring residential properties.

No objections were received as a result of the consultation period.

On this basis, the proposal is considered to comply with Policy DS4 of the Copeland Local Plan.

Flood Risk

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.

The application site is not located in a flood zone, however, given the large area proposed to be re surfaced, flood risk and drainage implications must be assessed.

The proposed re surfacing material is to be concrete which is an impermeable material which is likely to increase surface water runoff during prolonged rain periods. The applicant was therefore asked to provide a detailed plan to show how surface water will be dealt with and contained within boundary of the development site and not encroach onto the highway or neighbouring properties.

Two amended and detailed plans were submitted which now show both the existing drainage system within the site and a detailed plan showing a large aco style drain across the boundary between the site access and Highway. This drain will prevent surface water runoff onto to the highway.

Following re consultation with The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA), no further objections to the proposal were raised subject to the imposition of a planning condition which requires the drainage as shown on approved plans to be installed prior to any other construction being constructed within the development site.

Subject to the above planning condition being stipulated, it is not considered that the proposal will cause any additional flood risk on site or elsewhere as a result.

The proposal is therefore considered to achieve the requirements of Policy DS6 of the Copeland Local Plan.

Impact on Ecology and Biodiversity

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy. Policy N3 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. 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 be one which will not require the approval of a Biodiversity Gain plan before development is begun because the application relates to an area of existing hardstanding, therefore the proposal falls within the list of developments except from providing Biodiversity Net Gain. Based on the above, it is considered that the development complies with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF. <u>Planning Balance and Conclusion</u> The application seeks permission for the concrete surfacing of the existing farmyard for agricultural purposes. Whilst the proposed development is large in overall scale, it is proportionate in the context of the overall unit, which proposes materials that are suitable for their use and consistent with typical agricultural/farming works to support the existing farming operations on site. The proposal will not have any detrimental impacts upon residential amenity. Subject to the use of an appropriately worded planning condition, the proposal is not considered to increase the flood risk on site or elsewhere. The proposal is not subject to Ecology and Biodiversity Net Gain. On balance, the proposed works represent an acceptable form of development which accords with the policies set within the Copeland Local Plan and the guidance in the NPPF.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. Reason



Cumberland Council

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 11th June 2026;
- Site Location Plan, scale 1:1250, received 11th June 2026;
- Site Map (North), scale 1:200, received 11th June 2026;
- Site Map (South), scale 1:200, received 11th June 2026;
- Site Map (West), scale 1:200, received 11th June 2026;
- Proposed Site Plan Map 1, scale 1:500, received 11th June 2026;
- Proposed Site Plan Map 2, scale 1:1250, received 11th June 2026;
- Proposed Site Plan Map 3 scale 1:500, received 11th June 2026;
- Directional Drainage Pathways Map 4, received 11th June 2026;
- Drainage Map (additional), received July 2026;
- Aco Drain Specification (additional) received July 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.

3. The drainage measures as shown on approved plans labelled 'Aco Drain Specification' received by The Local Planning Authority in July 2026 shall be installed prior to any other construction being undertaken within the development site. Once installed the drainage measures shall be retained at all times thereafter.

Reason:

In the interests of Highway Safety

Informative Notes

Development Low Risk Area – Standing Advice – Mining Remediation Authority

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered

during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242 Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Biodiversity Net Gain – Exemption Applies

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 not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

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: Demi Crawford

Date : 19/08/2026

Authorising Officer: N.J. Hayhurst

Date : 24/08/2026

Dedicated responses to:- N/A