

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2291/0F1	
2.	<b>Proposed Development:</b>	ERECT CATTLE CUBICLE BUILDING EXTENSION	
3.	<b>Location:</b>	TOWN HEAD FARM, NETHERTOWN	
4.	<b>Parish:</b>	Lowside Quarter	
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM	
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  This application relates to Town Head Farm, located to the south of Nethertown. The dairy farm consists of 175 acres with around 150 – 180 cows and calves at any one time.  The application site is located along the southern edge of the village adjacent to a number of existing agricultural buildings, including an existing milking parlour and cow kennel building.		

### **Relevant Planning History**

4/11/2398/0F1 – Slurry lagoon – Approved.

4/22/2099/0F1 – Conversion of existing barns to form 3 residential units & annex accommodation associated with unit 3 – Withdrawn.

4/22/2441/0F1 – Conversion of existing barns to form 3 residential units & annex accommodation associated with unit 3 (resubmission of 4/22/2099/0F1) – Approved.

4/23/2152/0F1 – Erect cattle cubicle building – Approved.

### **Proposal**

In July 2023, planning permission (ref: 4/23/2152/0F1) was granted to erect a large cattle cubicle building. This building is currently under construction. This current application seeks planning permission to extend this existing cattle cubicle building.

The proposed extension will be located to the south east of the existing building, and will measure 16.4m x 41.15m with a total area of 674.86m<sup>2</sup>. The extension will have an eaves of 3.66m and an overall height of 7.6m, 0.5m lower than the existing building.

The extension will house cubicles and feed bays, and will include an under floor slurry tank continuing the previous approval, which is to be connected to the existing adjacent cow kennels, and be pumped to the main slurry lagoon to the east of the proposed building.

Externally the extension will be finished to match the previously approved cattle building, including natural colour concrete panels to the lower walls, and grey corrugated cement fibre sheets to the upper walls on the south west elevation and Yorkshire type boarding to the north east and south east elevation. The roof will be finished with grey corrugated cement fibre sheets.

Access to the farm is off the highway to the west of the proposed building, with access to the proposal via the existing farmyard to the north of the site.

### **Consultation Responses**

#### Lowside Quarter Parish Council

No comments received.

#### Cumberland Council – Highway Authority & Lead Local Flood Authority

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or

elsewhere.

I note and welcome the inclusion of rainwater harvesting tanks for the drinking troughs, this will marginally reduce surface water runoff.

#### Environment Agency

Environment Agency position:

We have no objections to the proposed development, however we do wish to make the following comments:-

Advice to applicant:

The proposed development must fully comply with the terms of the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010.

The applicant should also ensure the proposed development supports compliance with:

- The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 known as Farming Rules for Water (FRfW),
- The Environmental Permitting (England and Wales) Regulations 2016 (EPR)
- The Nitrate Pollution Prevention Regulations 2015 (NVZ)

Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). Any agricultural development that will result in an increase in cattle numbers or water usage may adversely impact the storage of waste waters, slurry and other polluting matter.

The applicant is advised to consider both the proposed development and existing on-farm slurry and manure storage to ensure compliance with the regulations (SSAFO, FRfW, EPR, NVZ).

As a condition of SSAFO, the applicant must notify the Environment Agency of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction. Please note the Environment Agency must be informed of their proposals in addition to any application for planning permission. Upon completion of the work, the applicant must contact the Environment Agency Agriculture Team to arrange for the new slurry facility to be inspected before it is brought into use.

If the applicant intends to apply for a grant under the Farming Investment Fund – Slurry Infrastructure grant the proposed development must also fully comply with the grant scheme rules, found at - Slurry Infrastructure grant. In this case the SSAFO notification to the Environment Agency will be satisfied by the submission of the grant application form.

Further guidance:

Storing silage, slurry and agricultural fuel oil

Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers

Cumberland Council – Environmental Health

There are no objections to this proposal from Environmental Health.

As per the recent approved adjacent cattle cubicle at this site, a condition on external lighting is requested.

Cumberland Council – Ecologist

The suggested biodiversity condition wording below may be amended by Development Management where appropriate.

The county ecologist notes that a habitat management plan has been submitted for up to 15 years.

Suggested Planning Condition(s)

*Biodiversity Net Gain*

No development hereby permitted shall commence until:

- a) a Biodiversity Gain Plan has been submitted to the planning authority demonstrating a 10% net gain,
- b) the planning authority has approved the plan in writing,
- c) the uplift in modified grassland condition from moderate to is accompanied by a Habitat Management and Monitoring Plan in place for 30 years as the gains here constitute 'Significant On-site Gains', this monitoring plan is to be accepted by the council and,
- d) 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.

Cumberland Council – Countryside Access Officer

No comments received.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to eight properties.

Two letters of neutral response have been received raising the following comments:

- The design statement makes no mention of the public footpath. Neither the previous application, nor this application, enable, protect, or enhance the public footpath across this land. Currently that footpath is almost impossible or safe to use. Ankle deep slurry by the milking parlour and fences create access problems. The route is also often



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crowded with cows jostling for position at the entry/exit from the milking parlour. I have observed walkers attempting to use this route - and then giving up.

- Please can this application be conditional upon a slight rerouting of the footpath to the south of the new buildings via new gates and stiles.
- The erection of the existing and barn extension should include an agreement to properly reinstate the public footpath (part of an old established lanning) and for the landowner to uphold safe access across his land in accordance with this public right of way.
- Noise from animal bellowing and the ever-present smell of cow manure are also issues which can only be worsened by this application. Can anything be done please?
- This application makes no mention of the already considerable nuisance caused by the vast number of flies. Please can this application be conditional upon applying some flying insect reduction measures.
- Noise from animal bellowing and the ever-present smell of cow manure are also issues which can only be worsened by this application. Can anything be done please?

### 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 2013 – 2028 (Adopted December 2013)

#### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Strategic Development Principles

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM24 – Development Proposal and Flood Risk

Policy DM30 – Rural Buildings

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Emerging Copeland Local Plan 2021 – 2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28th March 2024.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

The Report on the Examination of the ELP was received on the 23<sup>rd</sup> September 2024. Given the advanced stage of preparation and with adoption pending, full weight can be attached to the policies of the ELP.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy RE1PU – Agricultural Buildings

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2PU: Local Nature Recovery Networks



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Strategic Policy N3PU: Biodiversity Net Gain

**Other Material Planning Considerations**

National Planning Policy Framework (2023)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Wildlife and Countryside Act 1981

**Assessment**

This application raises issues in terms of the principle of the development; its siting, scale and design; impacts on landscape and visual amenity; highway safety; flood risk and drainage; and impact on ecology.

Principle of Development

Policy ST2 of the Local Plan supports development outside of settlement, which have a proven requirement for such location, including agriculture. Policy DM30 and section 6 of the NPPF supports proposals for small holdings and equine related developments as long as they are well related to existing settlement or farm complexes, and do not adversely impact on local landscapes or the amenity of nearby residential properties.

Policy RE1PU of the Emerging Local Plan states that new agricultural buildings requiring planning permission will be supported where there is a demonstrated need for the building in relation to the functional operation of the agricultural building, the building is located within or adjacent to the existing farm complex unless justified, the building is of appropriate scale, form and design, and the building will not adversely impact on residential amenity or landscape character.

The proposal will extend the new cattle building, currently under construction, granted planning permission (ref: 4/23/2152/0F1) in July 2023. The proposal will create a larger cattle building to the south of the existing farm complex adjacent to a number of existing agricultural buildings, the works are considered to be an appropriate form of development in the countryside in accordance with Policy ST2 and DM30 of the Local Plan, Policy RE1PU of the Emerging Local Plan, and provisions of the NPPF.

Siting, Scale and Design

The application site is located to the south of the village of Nethertown, with several residential dwellings located to the north and east of the existing farm complex. The development is required to create more building space within the farm to accommodate

stock.

The proposed extension is located to the south of a number of existing agricultural buildings and to the south east of the new cattle building under construction. The proposal is located further away from residential properties than the existing buildings and is screened by the recently approved cattle building. The proposal is therefore not considered to adversely impact on existing residential amenity. As pre the previous approval at this site, the proposed extension has been sited for ease of operation and reflects the existing building line of the village.

On the basis of the above, the scale and design of the proposal is considered to be appropriate with regard to the existing site and is unlikely to cause any demonstrable harm, in accordance with Policy DM30 of the Copeland Local Plan and Policy RE1PU of the Emerging Local Plan.

#### Landscape and Visual Impact

Policy ENV5 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

Policy DM26 of the Copeland Local Plan stated that where necessary development proposals will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character, and mitigate against any adverse visual impact. Care should be taken that landscaping schemes do not include invasive non-native species.

Within the Emerging Local Plan, Policy N6PU states that the Borough's landscapes will be protected and enhance by supporting proposal which enhance the value of the Boroughs landscapes, protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value. It is stated that proposals will be assessed according to whether the proposed structures and associated landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment and that consideration must be given to the Council's Landscape Character Assessment, Settlement Landscape Character Assessment and the Cumbria Landscape Character Guidance and Toolkit at the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 4: Coastal Sandstone. The key characteristics of the land comprise: coastal sandstone cliffs, sandstone rolling hills and plateaus, large open fields, prominent hedge banks bound pastoral fields, small woodland blocks along valley sides, and exposed coastal





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edge moving to intimate and enclosed farmland inland.

The Guidelines for development include: strengthen definition between town and country by using extensive buffer planting to screen the built up areas and reduce the impact of industry, improve visual containment of caravan parks close to the coast with landscape works and discourage further large scale developments, such as wind energy, in prominent coastal locations, conserve and enhance the traditional farm buildings and features within their own setting, and reduce the impact of any new buildings by careful siting and design.

The proposed extension is located to the south east of the previously approved cattle building and is located to the south of the existing farm complex and adjacent to several existing agricultural buildings associated with Town Head Farm. Whilst the proposal will reflect the previous approval in terms of scale and materials, the height of the extension will be 0.5m lower than the main building, limiting the impact of the development. The proposed development is screened by existing well established hedgerow boundary treatment and would be viewed against the backdrop of the existing agricultural buildings.

Based on this, the proposal is not considered to result in intrusion into open countryside or impact on the surrounding area. The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan, Policy N6PU of the Emerging Local Plan, and provision of the NPPF.

### Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

The development will utilise the existing access to the site via the existing farmyard, with no alterations proposed. Cumbria Highways have been consulted on this application and have offered no objections to the proposal as the development is not considered to have a material effect on existing highway conditions.

PROW 414002 runs to the north west of the application site, adjacent to the boundary of the field between two existing hedgerows. Concerns have been raised from residents with regard to the accessibility of the footpath. The Council's Countryside Access Officer has been consulted on this application but has offered no comments on the proposal. The Officer did however comment on the application for the main building (ref: 4/23/2152/0F1) and advised that the applicant should apply for a temporary diversion of the route, and that the application does not have the right to block or obstruct the PROW. The Officer also confirmed that there should be no development until the appropriate legal process has been undertaken. These details were included as informatives on the previous permission and will be repeated on the decision notice for the current application. Given the concerns received from residents these comments will be passed over to the Council's Countryside Access Officer to investigate and

review.

On this basis the proposal is considered to be compliant with the Policy DM22 of the Copeland Local Plan, Policy CO7PU of the Emerging Local Plan, and Section 9 of the NPPF.

#### Flood Risk & Drainage

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zone 1. The surface water for this site would be drained via harvesting tanks and soakaways to deal with any overflows.

The LLFA have reviewed the application and have offered no objections to the proposal as it is not considered to increase the flood risk on the site or elsewhere. They also state that the inclusion of harvesting tanks for drinking troughs is welcomed and will marginally reduce surface water runoff.

On the basis that the development is not considered to have a detrimental impact on flood risk in accordance with Policies ST1, ENV1 and DM24 of the Copeland Local Plan, Policies DS8PU and DS9PU of the Emerging Local Plan, and the provisions of the NPPF.

#### Impact on Ecology

Policies ST1, ENV3, and DM25 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

Policy N1PU of the Emerging Local Plan LP defines a mitigation hierarchy.

Policy N3PU of the Emerging Local Plan 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 N1PU above. This is in addition to any compensatory habitat provided under Policy N1PU. 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.

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.

The application is supported by the following BNG information: BNG Information, BNG Headline Results, BNG Small Metric Plan, and a BNG Species Rich Grassland Restoration Plan. A condition will therefore be included upon this decision notice to ensure the development is carried out in accordance with these approved details.

The Council's Ecologist has offered no objections to the application and has stated that the applicant should be subject to the required BNG conditions.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the Local Planning Authority. An appropriately worded planning condition will therefore be included to secure this information. 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.

The application is supported by a The Habitat Restoration Plan which has been amended to reflect the required 30 year management requirement. Appropriately worded planning conditions will be included on any decision notice ensure the development is carried out in accordance with the Restoration Plan and is managed and monitored in line with requirements.

Based on the inclusion of the above conditions, 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 ST1, ENV3 and DM25 of the Copeland Local Plan, Policy N1PU of the Emerging Local Plan and the provisions of the NPPF.

#### Planning Balance and Conclusion

This application seeks planning permission to extend an existing cattle building which was approved in July 2023 (ref: 4/23/2152/0F1). The extension is considered appropriate in terms of use and scale in this location, and its siting and existing boundary treatment minimises its potential impacts on the nearby residential properties.

No objections have been received from statutory consultees in terms of highway safety and drainage.

The information submitted as part of this application is considered acceptable in terms of BNG as confirmed by the Council's Ecologist, with relevant conditions included to secure the

	<p>approved details and the additional information required.</p> <p>The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>2. Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: <ul style="list-style-type: none"> <li>- Application Form, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.</li> <li>- Site Plan, Scale 1:2500, Ref: 1818, Issue: B, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.</li> <li>- Block Plan, Floor Plans, Elevations, &amp; Section AA, Scale 1:100, 1:200 &amp; 1:500, Ref: 1818, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.</li> <li>- Design &amp; Access Statement, prepared 19<sup>th</sup> April 2024, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.</li> <li>- BNG Information, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.</li> <li>- BNG Headline Results, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.</li> <li>- BNG Small Metric Plan, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.</li> <li>- BNG Species Rich Grassland Restoration Plan (Amended), prepared by Mitchells Farm &amp; Environment Services July 2024, received by the Local Planning Authority on the 20<sup>th</sup> September 2024.</li> </ul> </li> </ol> <p>Reason</p>

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.

BNG Conditions:

3. The development hereby approved must be carried out in accordance with and implement all the mitigation measures set out in the following approved documents:
  - BNG Information, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.
  - BNG Headline Results, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.
  - BNG Small Metric Plan, received by the Loal Planning Authority on the 19<sup>th</sup> August 2024.
  - BNG Species Rich Grassland Restoration Plan (Amended), prepared by Mitchells Farm & Environment Services July 2024, received by the Local Planning Authority on the 20<sup>th</sup> September 2024.

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.

4. 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.

5. The development hereby approved must not be occupied until the habitat restoration

detailed in 'BNG Species Rich Grassland Restoration Plan (Amended)', prepared by Mitchells Farm & Environment Services July 2024, received by the Local Planning Authority on the 20<sup>th</sup> September 2024' 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.

6. Within 3 months of the completion of the habitat restoration works detailed in 'BNG Species Rich Grassland Restoration Plan (Amended)', prepared by Mitchells Farm & Environment Services July 2024, received by the Local Planning Authority on the 20<sup>th</sup> September 2024', a completion report, evidencing the completed habitat creation and habitat enhancements must be submitted to and approved in writing by the local planning authority.

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. The habitat creation and habitat enhancement works detailed in 'BNG Species Rich Grassland Restoration Plan (Amended)', prepared by Mitchells Farm & Environment Services July 2024, received by the Local Planning Authority on the 20<sup>th</sup> September 2024' shall be managed and maintained in accordance with the provisions of approved document for a minimum period of 30 years post completion of the habitat creation and habitat enhancement works.

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.

8. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in 'BNG Species Rich Grassland Restoration Plan (Amended)', prepared by Mitchells Farm & Environment Services July 2024, received by the Local Planning Authority on the 20<sup>th</sup> September 2024' is delivering on its site-wide aims and

objectives and habitat condition targets shall be submitted to the Council during years 2, 5, 7, 10, 20 and 25 post completion of the habitat creation and habitat enhancement works.

**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.

**Other Conditions:**

9. No external lighting shall be introduced to the exterior of the building without the written consent of the Local Planning Authority.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E2 contained within the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01/21.

**Reason**

In order to safeguard the amenities of nearby residential occupiers.

**Informative Notes:**

1. The granting of planning permission would not give the applicant the right to block or obstruct the Public Right of Way 414002.
2. The Public Right of Way 414002 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 them has been confirmed.
3. No development should take place on or near the Public Right of Way until the appropriate statutory legal process has been successfully completed.

**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.	
<b>Case Officer:</b> C. Burns		<b>Date :</b> 23.10.2024
<b>Authorising Officer:</b> N.J. Hayhurst		<b>Date :</b> 28.10.2024
<b>Dedicated responses to:-</b>		