



## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2079/0R1	
2.	<b>Proposed Development:</b>	RESERVED MATTERS SEEKING APPROVAL OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING OUTLINE APPROVAL 4/22/2070/001 FOR RESIDENTIAL DEVELOPMENT (THE OUTLINE APPLICATION WAS NOT AN EIA APPLICATION)	
3.	<b>Location:</b>	LAND NORTH OF STATION ROAD, DRIGG	
4.	<b>Parish:</b>	Drigg and Carleton	
5.	<b>Constraints:</b>	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 - Sellafield 10KM, PROWs - Public Right of Way	
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report

7.

## **Report:**

### **Site and Location**

The application site relates to an area of agricultural land located to the north of Station Road (B5244). The land extends an area of approximately 0.71 hectares, situated to the west of Drigg. The site is relatively flat along the road frontage, gently rising to the north. The land is bounded to the north and west by the open countryside, the east by an access lane, and the B5244 to the south. The site is enclosed by hedgerows and post-and-wire fencing.

### **Relevant Planning History**

4/22/2070/001 – Outline application (with all matters reserved) for residential development – Allowed on appeal.

4/24/2351/DOC – Discharge of conditions 7, 8, 9 and 11 of planning application 4/22/2070/001 – Approved.

### **Proposal**

This application seeks the approval of Reserved Matters relating to access, appearance, landscaping, layout and scale for 9 dwellings at this site. This application follows the approval of the of an outline scheme for residential development at this site (ref: 4/22/2070/001) on appeal in 2023. The outline consent reserved all matters for subsequent approval.

The proposal seeks permission to develop the site for 9 dwellings. The development will be formed around a cul-de-sac with a mix of 2 x two bedroomed dwellings, 5 x three bedroomed dwellings, and 2 x four bedroomed dwellings. Two of the proposed dwellings within the north west of the site are to be two storey in height, whilst the remainder of the properties will be one storey.

The proposed dwellings will utilise a palette of materials to include red brick, red sandstone, render, timber, and slate roofing. Each dwelling is set within a large garden with individual driveways that provide off street parking provision for two cars for each property.

Access to the site will be from the south of the site from the B5344. The proposed access will be from a priority bell mouth junction providing visibility splays of 2.4m x 60m to the east and west of the access. The development will be arranged around a spine access road, with a turning head to the rear of the site and a separate access road to serve plots 8 and 9. The proposed access road will benefit from a footway to the eastern side, providing connection to the existing bus stop to the site frontage and proposed dropped kerb pedestrian crossing.

The application is supported by a landscaping scheme which creates an entrance to the site and provides additional landscaping within and along the boundaries of the application site particularly the site frontage.



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Foul water from the development will discharge into a new private foul sewer along Station Road connecting to the existing UU system. Surface water will be drained utilising a combination of permeable paving and positive drainage to route the site flow to an attenuation basin/structure which is to be located to the southern end of the site prior to the outfall to the existing culverted watercourse.

### Consultation Responses

#### Drigg & Carleton Parish Council

*14<sup>th</sup> April 2025*

Objection:

Comments:

- (1) DCPC objects to this application as the discharge of conditions has not been met
- (2) Maps do not show that drainage and sewage issues have been addressed
- (3) Biodiversity net gain is not assured as landscaping can be changed by landowners; trees near the splayed junction may have to be cut back or cut down
- (4) Poor visibility for a junction onto a 40 mph road

*12<sup>th</sup> November 2025*

Drigg & Carleton Parish Council continue to object to this application on the same grounds as before. The drainage and sewage issues remain unresolved.

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

*19<sup>th</sup> March 2025*

The site layout, and drainage strategy has changed significantly from the Outline proposals. The submitted plans do not contain the necessary details to be able to determine the acceptability of the design (layout) for reserved matters stage. The information we require includes:

- Detailed highway / layouts of carriageways, footways, service strips and clearance strips
- Highway (footway and carriageway construction and material details)
- Proposed limits for adoption
- Detailed surface water drainage design
- S278 / off site highway / infrastructure proposals
- Servicing proposals and / or turning proposals for refuse vehicles and other service vehicles at the northern end of the site (swept path diagram required)

Notwithstanding the above, I am satisfied with the proposed visibility splay at the access (60m x 2.4m in each direction), the principle of the access at the proposed location and the width of the access road (4.8m).

However, I have reservations about the proximity / location of the proposed landscaping. The hedge and trees appear that over time they will grow into the splay and will either need severe cutting back and maintenance which in reality will not happen and the splay will be compromised.

I note the trees 'Sorbus aria' (SAR) can reach heights of 15m and a spread of around 8m, depending on growing conditions, so maybe should be placed at least 4m from the splay.

The evergreen hedge is likely to be 2m+ wide, so perhaps the centreline of the hedge should be 2m from the splay to allow for growth + tolerance / lack of maintenance?

I would suggest the landscaping proposals be reviewed taking into account the concern about encroachment into the visibility splay.

*22<sup>nd</sup> October 2025*

Further to my previous response of 19/3/25 I have the following comments on the following additional plans and revisions:

Though there is more detail on the surface water drainage and highway construction, the submitted plans still do not contain all the necessary details to be able to determine the acceptability of the design (layout) for reserved matters stage. The information we still require includes:

- Proposed limits for adoption (S38 drawing).
- S278 / off site highway / infrastructure proposals (S278 plan)
- Servicing proposals and / or turning proposals for refuse vehicles and other service vehicles at the northern end of the site (swept path diagram required)
- Surface water drainage exceedance plan
- Surface water drainage maintenance schedule

Notwithstanding the above, I am satisfied with the proposed visibility splay at the access (60m x 2.4m in each direction), the principle of the access at the proposed location and the width of the access road (4.8m)

I notice the site boundary to the SW has been moved back as previously suggested to protect the visibility splay.

Conclusion:

I am unable to make a full response until the highway information above has been provided.

*10<sup>th</sup> December 2025*



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Further to my previous response of 22/10/25 I have the following comments on the following additional plans and revisions:

The information we requested was as follows:

- Proposed limits for adoption (S38 drawing) & S278 / off site highway / infrastructure proposals (S278 plan)
  - I note the footway to the east to link to the bus stop and that is welcomed. However, there needs to be a dropped kerb at the end of the junction radii and a matching dropped kerb on the opposite side of the B5344 to provide accessible access.
  - This detail can be addressed in the Discharge of Condition application for Condition 11: Footway Provision.
- Servicing proposals and / or turning proposals for refuse vehicles and other service vehicles at the northern end of the site (swept path diagram required)
  - The swept path diagrams show the servicing arrangement is suitable.
- Surface water drainage exceedance plan & Surface water drainage maintenance schedule
  - These matters can be covered off in the DoC application. Details should be submitted as supporting evidence to Discharge Condition 7 - Details of a Surface Water Drainage Scheme.

*22<sup>nd</sup> December 2025*

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

Reserved Matters for Consideration: access, appearance, landscaping, layout and scale

Having reviewed the updated S278 and Vehicle Tracking Plans:

I note a dropped kerb at the end of the junction radii and a matching dropped kerb on the opposite side of the B5344 to provide accessible access have been shown as required.

All the relevant reserved matters have been addressed to the satisfaction of the LHA and LLFA and I can confirm that the LHA and LLFA have no objections to the details submitted.

### United Utilities

*3<sup>rd</sup> November 2025*

Further to our review of the submitted documents, Drawing 2024-026-001, Dated March 2025 & Drawing 22-C-16573/02 Rev D Dated 25/02/2025, we can confirm the 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 the proposals are not in line with the National Standards for Sustainable Drainage Systems (2025). The proposed drainage

layout does not show the final outfall point or confirm which assets they ultimately discharge to. If the applicant intends to connect to a public sewer for either foul or surface water, their ultimate outfall point needs to be detailed on the drawing with proposed cover and invert levels. If the applicant intends to drain surface water to the public network, a thorough investigation into the surface water hierarchy will need to be included within their application.

*26<sup>th</sup> January 2026*

Further to our review of the submitted documents, Drawing 2024-026-001, Dated March 2025 & Drawing 22-C-16573/02 Rev D Dated 25/02/2025, we can confirm the proposals are acceptable in principle.

Natural England

*18<sup>th</sup> March 2025*

Natural England has no comments to make on this Reserved Matters application.

*22<sup>nd</sup> October 2025*

Natural England has no comments to make on this Reserved Matters application.

Cumberland Council & Westmorland and Furness Council – Resilience Unit

*14<sup>th</sup> March 2025*

There are no objections to the proposed works.

However, it should be noted that the location of the property is situated within an area outside the site which, in liaison with Sellafield Ltd and the Office for Nuclear Regulation, special arrangements are made for residents/business premises, this area is referred to as the Detailed Emergency Planning Zone (DEPZ). As a direct result particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the Sellafield site.

In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) I would be grateful if you could advise the applicant to liaise with this office via [emergency.planning@westmorlandandfurness.gov.uk](mailto:emergency.planning@westmorlandandfurness.gov.uk) to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

*20<sup>th</sup> October 2025*

There are no additional comments to our initial response dated the 13/03/2025.

Cumberland Council – Ecology Team

*1<sup>st</sup> October 2015*

Suggested Planning Conditions:

The following planning conditions are suggested in line with Matter 26 of the Appeal Decision



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(03.08.2023).

### 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 hedgehogs and Works should be supervised during initial clearance of the Site to avoid injury to any disturbed individuals.

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 badgers 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.

### Enhancements:

Bird and bat boxes should be installed on a minimum of three of the new build houses.

The following bird box types are suggested:

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

The following bat box types are suggested:

- 3 Vivara Pro WoodStone Bat Box and/or,
- 3 Low Profile WoodStone Bat Box.

Access between gardens should also be retained for hedgehogs. The gap is to be 10cm x 10cm at ground level. Roadside boundaries of properties should not have these access holes, to encourage hedgehogs to avoid the road as much as possible.

### Cumberland Council – Countryside Access Officer

We have no objection to the application. Public Right of Way BW 405017 passes along the boundary of the site.

The applicant must be advised that:

- The granting of planning permission would not give them the right to obstruct, close or divert 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, stop up or to temporarily close it has been confirmed.

Arboricultural Consultant – Treescape Consultancy Ltd

*11<sup>th</sup> April 2025*

#### 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 Plant Schedule, produced by Westwood Landscape Ltd and dated 09/10/24. These give details of the species and locations for the proposed trees and shrubs to be planted as part of the proposed development on the site. The Plan also includes a specification for the planting and maintenance of the trees and shrubs.

#### RECOMMENDATIONS

We recommend attaching the following condition to any planning permission: works carried out in accordance with approved plans.

*27<sup>th</sup> November 2025*

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#### Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to 63 properties.

#### Objection 6

- I strongly believe that this development should not be happening for many reasons,



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however it seems to have been approved in outline.

- I object to the colour elevation proposal for house C. Red brick is out of keeping with the character of the local vernacular.
- The white rendered houses would fit in reasonably well, but what appears here to be completely red brick exterior is totally unacceptable and wouldn't even look right with the other three houses.
- In my opinion no brick should be used anywhere on any of the houses.
- I am concerned about the impact of this development on drainage in the area.
- The drainage provision in this part of Drigg is extremely poor; whenever there is heavy rainfall the road floods to half of the carriageway, and the site itself is often under standing water.
- The drainage proposals within the application are wholly inadequate and insufficient, certain to cause flooding issues for those people who have land and properties "downstream" of the proposed drainage strategies documented in the application.
- This area of the village is woefully inadequate when it comes to existing field and road drainage. The proposed site, the field above, the road gullies and the field on the other side of the road, drain into a field drain system that it totally inadequate for current water volumes and as such flooding of the road, fields and residential gardens regularly occurs.
- The proposal seeks to drain into a heavily utilised drainage system which is very old and was never designed to cope with such large water volumes. The system currently runs to full capacity during moderate rainfall.
- Once the drain leaves the field opposite the proposed site, it passes through a number of residential properties gardens before entering another field, crosses back across Old Shore Road, into an open ditch, then down the railway, into the LLWR site before making its way into the River Irt. During moderate rainfall, the drains are overwhelmed and the water bubbles up and floods at a number of locations.
- The proposed development would mean an increase in the surface water run-off from hard areas and roofs etc. Treated foul water will also be expected to drain this way. This increased flow of water will be directed into the field drains detailed above. In increase in water entering this system will increase the regularity and severity of the flooding experienced on the road and downstream.
- Old Shore Road has flooded at least once a year for at least the last 20 years. This causes considerable concern to the residents of Old Shore Road, as their gardens already flood and their houses may also flood not only by way of water from the drains but also from water no longer held in the soil of the field but displaced downhill from the proposed development site. The flooding currently inconveniences local

pedestrians, cyclists and drivers as well as impacting staff and contractors attending the nuclear waste facility at the end of the road.

- The site plan makes no provision for the installation of foul water treatment works, either for Klargest-style individual units or for a joint treatment unit and it does not appear that any provision has been made for sewerage - there is no mains sewer at this point, or indeed in most of the village.
- The Building Regulations stipulate the distance between dwellings and septic tank or water treatment plant, and I cannot see from the site plans that any adjustment has been made to allow for this. I have approached the developer twice and have had no response.
- I do not oppose the creation of additional housing in the village, but I believe that unless proper attention is drawn to this issue we will be faced with even more severe drainage issues than at present.
- I feel it's important that this has been submitted before the discharge of conditions application dated 11 October 2024 (4/24/2351) has been determined. The discharge of conditions is sewage, drainage etc has not been approved or refused as yet. So this needs questioning as if it needs its own sewage treatment plant that would need to be shown on these site plans.
- Biodiversity net gain here is proposed to be met by the landscaping of the gardens and the estate design. No where in the application did I see a clause that protects that landscaping from being changed by the homeowners. The whole point of biodiversity net gain is long term.
- It's only my opinion, but the impressions of the design of the site is not acceptable and false. It shows mature woodland in the background, which is not present, so unless they are going to plant mature trees at vast cost it's not acceptable to show this in the visual amenity design submission and does not represent the actual visual impact of the development.
- I cannot see any proposed street lighting for this application. I would like to see what impact the lighting would make to 'dark sky' conservation in Drigg, therefore cannot support this application until I see the results of what type of lighting shall be used.

#### Public Reconsultation

Following the receipt of amended/additional information for the application a reconsultation was undertaken for all neighbouring properties and those who previously commented on the application. No further comments have been received to this notification period.

#### **Planning Policy**

Planning law requires that applications for planning permission must be determined in



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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 5<sup>th</sup> 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 N10: Green Wedges

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

**Other Material Planning Considerations**

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

Copeland Borough-Wide Housing Needs Survey (2020)

**Assessment**

The key issues raised by this application relate to the principle of the development; housing need; settlement character, landscape and visual impact; scale, design, and impact of the development; access, parking, and highway safety; drainage and flood risk; and impact on biodiversity and ecology.

Principle of the Development

Drigg is identified in Strategic Policy DS1 of the Copeland Local Plan as a Sustainable Rural Village, which offer a limited number of services, but which could support a limited amount of growth to maintain communities. The focus for development will be to support the retention and small-scale growth of existing services and businesses, and small-scale housing allocations, with windfall and infill development supported in principle.

The settlement boundary for Drigg is defined in Strategic Policy DS2. The application site lies outside of, but directly adjacent to the defined settlement boundary. Policy DS2 states that to ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundary will only be accepted where the proposal is for housing and: the site is well related to and directly adjoins an identified settlement boundary; and the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and the Council is unable to demonstrate a 5-year land supply of deliverable housing sites or there has been previous under-delivery of housing against the requirement for 3 years or more or the proposal is for a



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specific type of housing supported by Policies H15, H16, or H17.

The principle for developing the site for residential purposes has previously been established by the outline planning permission (ref: 4/22/2070/001) which was approved in October 2023 on appeal. The Planning Inspector concluded in the decision letter that the proposed would meet the requirements of the National Planning Policy Framework (NPPF) in terms of providing housing where it will enhance or maintain the vitality of local communities, and actively managing patterns of growth to promote walking, cycling and the use of public transport, as an alternative to the private car.

This application seeks approval of reserved matters relating to access, appearance, landscaping, layout and scale following this outline planning approval.

### Housing Need

Policy H7 of the Copeland Local Plan states that: developments should make the most effective use of land. When determining appropriate densities development proposals should clearly demonstrate that consideration has been given to the shape and size of the site, the requirement for public open space and landscaping, whether the density would help achieve appropriate housing mix and help regeneration aims, the character of the surrounding area and the setting of the site. Applicants must also demonstrate, to the satisfaction of the Council, how their proposals meet local housing needs and aspirations identified in the latest Strategic Housing Market Assessment (SHMA) and Housing Needs Assessment in terms of house type, size and tenure. Alternative more up-to-date evidence will be considered only in exceptional circumstances where a developer demonstrates to the Council's satisfaction that the SHMA and Housing Needs Assessment is out of date in full or part.

Policy H8 of the Copeland Local Pla states on sites of 10 units or more... at least 10% of the homes provided should be affordable as defined in the NPPF 2021 (or any document that replaces it) unless: 1) this would exceed the level of affordable housing required in the area as identified in the Housing Needs Study; or 2) The development falls into an exemption category listed in the NPPF. Affordable housing should be provided in the tenure split - 40% discounted market sales housing, starter homes or other affordable home ownership routes of which 25% of these must meet the definition of First Homes and 60% affordable or social rented.

The Application Site is located within the Whitehaven Housing Market Area (HMA) in the SHMA. The SHMA suggests a particular focus on the delivery of two and three bedroom (80%) and some 4+ bedroom (20%) semi-detached and detached dwellings. It is stated that the Council should also consider the role of bungalows.

The proposed development comprises of 9 dwellings, which are a mix of 2 x two bedroomed dwellings, 5 x three bedroomed dwellings, and 2 x four bedroomed dwellings. The proposal incorporates 2 x two storey dwellings and 7 x one storey properties. This mix closely aligns with the provision of the SHMA.

The scale of the proposed development comprising of nine detached dwellings is appropriate to the scale and designation of Drigg as a Sustainable Rural Village.

No affordable housing is proposed as the development falls below the 10 unit threshold for provision.

On this basis, the development will assist in providing housing that will help meet the housing need identified in the SHMA and the requirements Policies H7 and H8 of the Copeland Local Plan and provisions of the NPPF.

#### Settlement Character, Landscape and Visual Impact

Policy N6 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhanced by: supporting proposals which enhance the value of Copeland's 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; ensuring development proposals demonstrate that their location, scale, design and materials will conserve and where possible enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park and Heritage; and Requiring a Landscape Appraisal, and where appropriate a Landscape and Visual Impact Assessment, to be submitted where development has the potential to impact upon landscape character or a protected landscape. Where harm is identified the development will only be permitted where the benefits of the development outweigh any potential harm and mitigation and compensation measures must be provided. This policy further states that development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit and where appropriate, the Lake District National Park Landscape Character Assessment<sup>108</sup> from the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5d 'Lowland – Urban Fringe'. The Key Characteristics of the land comprise: long term urban influences on agricultural land, recreation, large scale buildings and industrial estates are common, mining and opencast coal workings are found around Keekle and Moor Row, and wooded valleys, restored woodland and some semi urbanised woodland provide interest.

The Guidelines for development include: when new development takes place consider opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the wider countryside; protect 'green' areas from sporadic and peripheral development; protect countryside areas from sporadic and peripheral development through the local plans; careful siting of any new development in non-prominent locations; strengthen undeveloped areas of land with mixed woodland and hedgerow planting and restoration of natural landscape features; and along major roads, develop schemes to improve visual awareness of the individual settlements, land uses and cultural landmarks.

The application site comprises a gently sloping field bound by hedgerow and fencing, fronting



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onto the B5344 the main road through the village. The site lies to the west of Drigg and lies opposite a housing allocation site, with undulating farmland to the north and west. The main built form of the village is linear, developed along the B5344 and Station Road to the south. There is also a large developed area to the west along Old Shore Road. The majority of properties within the village are detached set within their own large gardens.

The proposed development would extend the built form of the village to the west, reflecting the character of this part of the village. Whilst the development would urbanise the application site and would result in a loss of open countryside and visual change in the area, the development is not considered to be out of character due to its location within the village adjacent to the existing built form. The development would be viewed in the context of the existing built form and has been designed to limit the impacts of the development by utilising a number of single storey properties.

The application is supported by a Landscaping Plan and Plant Schedule, which provides additional landscaping within and along the boundaries of the site, and will create an entrance to the site along the frontage of the development. The development will help to define the edge of village location and will contribute to creating a sense of place to the western entrance of Drigg. The Council's Arboricultural Consultant has reviewed the submitted information and had confirmed that conditions should be included upon any decision notice to ensure the proposed development is carried out in accordance with these approved details. A condition will also be included to retain the existing perimeter hedgerow.

A condition will also be included to remove permitted development rights from the dwellings to protect the semi-rural nature of the development site.

The proposed development is considered to respect the form, density and character of the existing developments within the locality. The proposal is therefore considered to comply with Policy N6 of the Copeland Local Plan and the provisions of the NPPF.

#### Scale, Design and Impact of the Development

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 development has been designed with reference to the shape and form of the Application Site, and reflects the indicative plans submitted at the outline application stage of this development.

The development has been designed around a single access point from the B5344, with a spine access road, with a turning head to the rear of the site and a separate access road to plots 8 and 9. The layout of the site incorporates frontages onto the spine road, and planting

throughout the development. The proposed dwellings are set back from the adjacent B5344 creating a greenspace and an entrance to the application site. Three of the properties have been designed to front onto this entrance, with plot 1 designed to appear as a double frontage property.

The proposed scale and layout of the development is suitable for the edge of settlement location. The use of detached dwellings reflects the character of the area, and the overall design of the properties reflect those found within this part of the village. The creation of a site frontage also enhances the development which will be located within a prominent position along the main access route to Drigg from the west. A mix of materials is proposed, which are considered appropriate within the wider context of the site. However as limited details have been provided full details of the proposed materials will be secured by condition.

Given the location of the site the development is not considered to have an adverse impact on existing residential properties or result in loss of amenity as adequate separation distances are retained. Discussions have been undertaken with the agent for this application to secure enhanced boundary treatments to prevent overlooking between plots and also to improve the overall appearance of the development. The installation and retention of these boundary treatments will be secured by an appropriately worded planning condition.

Based on the inclusion of conditions outlined above, the proposal is considered to comply with Policies DS4 of the Copeland Local Plan, and the provisions of the NPPF.

#### Access, Parking, and Highway Safety

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.

Access to the site will be from the south of the site from the B5344. The proposed access will be from a priority bell mouth junction providing visibility splays of 2.4m x 43m to the east and west of the access. The development will be arranged around a spine access road, with a turning head to the rear of the site and a separate access road to plots 8 and 9. The proposed access road will benefit from a footway to the eastern side, providing connection to



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the existing bus stop to the site frontage and proposed dropped kerb pedestrian crossing.

The requirement for a footpath was secured as part of the original outline planning permission at this site. Details of this have been approved under application ref: 4/24/2351/DOC and are reflected within this reserved matters submission.

Whilst access details were reserved from the outline application at this site, as part of the appeal decision the Inspector included a condition to secure visibility splays of 2.4m x 60m in both directions, to reflect original comments received by the Highway Authority on this application. The plans originally showed reduced visibility splays; however these have now been amended to reflect the conditions outlined by the Planning Inspectorate.

Following clarification from the agent in relation to initial points raised by the Highway Authority, they have confirmed no objections to the proposal. The Highway Authority have not requested the inclusion of any conditions on the decision notice for this application; however a condition has been included to secure the installation and retention of the proposed access, access road, and parking arrangements at the site prior to the first occupation of the dwellings.

Public Right of Way 405017 runs along the east of the application site. The Countryside Access Officer has offered no objections to the application however requested advisory notes will be included within any decision notice with regard to the PROW.

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

### Drainage and 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.

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 proposed comprises a more vulnerable use and is therefore a compatible use in Flood Zone 1.

Foul water from the development will discharge into a new private foul sewer along Station Road which connects into the existing UU system. Surface water will be drained utilising a combination of permeable paving and positive drainage to route the site flow to an attenuation basin/structure to the south end of the site prior to the outfall to the existing culverted watercourse.

Details of a full surface water drainage scheme and a foul drainage scheme were secured by condition as part of the original outline planning permission at this site. Details of this have been approved under application ref: 4/24/2351/DOC, and are reflected within this reserved matters submission.

Whilst concerns have still been raised from local residents and the Parish Council with regard

to drainage and flood risk issues at the site, no objections have been received from statutory consultees.

On this basis the proposal is considered to be compliant with the Policies DS6 and DS7 of the Copeland Local Plan, and provisions of the NPPF.

#### Impact on Biodiversity and Ecology

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 exempt from these BNG requirements. In this instance the development is considered exempt from BNG as the application seeks approval of reserved matters for outline planning permissions which is not a grant of planning permission.

The original outline permission was supported by a Preliminary Ecological Appraisal. This report identified potential ecological impacts to breeding birds, other mammals and bats, and recommended a number of mitigation measures but confirmed no further surveys were required. The outline permission also included an appropriately worded planning condition to ensure the development was carried out in accordance with the submitted appraisal and mitigation measures. Whilst comments have been raised from the Council's Ecologist to secure a number of planning conditions these mitigation measures are reflected within the Preliminary Ecological Appraisal submitted and conditions as part of the outline approval at this site and will therefore do not need to be repeated within this current reserved matters application.

On this basis, the proposal is considered to be compliant with the Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF.

#### Planning Balance and Conclusions

The application site is located to the west of Drigg, which is identified as a Sustainable Rural Village within Policy DS1 of the Copeland Local Plan. The application site lies outside of, but directly adjacent to the defined settlement boundary for Drigg. The principle of development the site for residential purposes was however established by the outline planning permission (ref: 4/22/2070/001) approved in October 2023 following an appeal decision.



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	<p>The proposed housing mix is considered to reflect the provisions of the SHMA.</p> <p>The proposed development would extend the built form of the village to the west, reflecting the character of this part of the village. Whilst the development would result in loss of open countryside it would be viewed in the context of the existing built form and has been designed to limit potential impacts.</p> <p>The proposed scale and layout of the development is suitable for the edge of settlement location. The use of detached dwellings reflects the character of the area, and the overall design of the properties reflect those found within this part of the village. Details of materials, boundary treatment, and landscaping will be secured by appropriately worded planning conditions.</p> <p>A new access is proposed from the B5344 with no objections from the Highway Authority subject to conditions. Requirements for a footpath have been secure by the original outline permission with details approved under application ref: 4/24/2351/DOC and reflected within this application.</p> <p>Details of the proposed surface and foul water drainage for the development have also been approved under application 4/24/2351/DOC and are reflected within this application. No objections have been received from consultees regarding drainage or flood risk at the site.</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> Approve Reserved Matters</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"><li>1. The development must be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.</li></ol> <p>Reason</p> <p>To comply with Section 92 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. This permission relates 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 Local Planning Authority on the 4<sup>th</sup> March</li></ul></li></ol>

2025.

- Site Location Plan, Scale 1:1250, Drawing No: 002, Revision: A, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- Existing Site Layout, Scale 1:200, Dwg: 24085 (SU) 010, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- Proposed Site Layout (Amended), Scale 1:200, Dwg: 24085 (PL) 010 C, received by the Local Planning Authority on the 4<sup>th</sup> December 2025.
- House Type A – Proposed Floor Plan & Elevations, Scale 1:100, Dwg: 24085 (PL) 100, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- House Type B – Proposed Floor Plan & Elevations, Scale 1:100, Dwg: 24085 (PL) 101, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- House Type C – Plot 5 & 8 (Amended), Scale 1:100, Dwg: 24085 (PL) 108, received by the Local Planning Authority on the 24<sup>th</sup> September 2025.
- House Type D – Proposed Floor Plan & Elevations, Scale 1:100, Dwg: 24085 (PL) 103, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- House Type A – Proposed Colour Elevation, Scale 1:000, Dwg: 24085 (PL) 200, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- House Type B – Proposed Colour Elevation, Scale 1:000, Dwg: 24085 (PL) 201, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- House Type C – Proposed Colour Elevation, Scale 1:000, Dwg: 24085 (PL) 202, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- House Type D – Proposed Colour Elevation, Scale 1:000, Dwg: 24085 (PL) 203, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- House Type A – Handed – Proposed Floor Plan & Elevations, Scale 1:100, Dwg: 24085 (PL) 104, received by the Local Planning Authority on the 17<sup>th</sup> July 2025.
- House Type B – Handed – Proposed Floor Plan & Elevations, Scale 1:100, Dwg: 24085 (PL) 105, received by the Local Planning Authority on the 17<sup>th</sup> July 2025.
- House Type C – Handed – Proposed Floor Plan & Elevations (Amended), Scale 1:100, Dwg: 24085 (PL) 106, received by the Local Planning Authority on the 24<sup>th</sup> September 2025.
- House Type D – Handed – Proposed Floor Plan & Elevations, Scale 1:100, Dwg: 24085 (PL) 107, received by the Local Planning Authority on the 17<sup>th</sup> July 2025.
- Proposed Site Section (Amended), Scale 1:100, Dwg: 24085 (PL) 301 A, received by the Local Planning Authority on the 3<sup>rd</sup> October 2025.
- Proposed Site Section 2 (Amended), Scale 1:100, Dwg: 24085 (PL) 302 A, received by the Local Planning Authority on the 3<sup>rd</sup> October 2025.
- Proposed Street Scene (Amended), Scale 1:100, Dwg: 24085 (PL) 301 A, received by the Local Planning Authority on the 3<sup>rd</sup> October 2025.
- Proposed 3D Images From Block Massing, Scale: NTS, Dwg: 24085 (PL) 400, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- Landscape Plan (Amended), Scale 1:200, Drawing Number: WW/L01 A, received by the Local Planning Authority on the 17<sup>th</sup> July 2025.



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- Plant Schedule, Prepared by Westwood Landscaping Ltd October 2024, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- Schedule for BNG Calculations, Prepared by Westwood Landscaping Ltd October 2024, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.
- Design & Access Statement (Amended), Prepared by Calderpeel Architects August 2025, Ref: 24085 (PL) 500, Rev: B, received by the Local Planning Authority on the 16<sup>th</sup> August 2025.
- Drainage Strategy Report, Prepared by A L Daines & Partners February 2025, Ref: 22-C-16573, Rev: C, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- Proposed Drainage Plan, Scale 1:200, Drawing No: 22-C-16573/02, Revision: D, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- Proposed Drainage Layout, Scale 1:200, Drawing No: 2024-026-001, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- Proposed Drainage Outfall Plan, Scale 1:500, Drawing No: 22-C-16573/04, Revision: D, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- Impermeable Areas Plan, Scale 1:200, Drawing No: 2025-026-002, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- Construction Details 1 of 3, Scale 1:200, Drawing No: 2025-026-003, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- Construction Details 2 of 3, Scale 1:200, Drawing No: 2025-026-004, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- Construction Details 3 of 3, Scale 1:200, Drawing No: 2025-026-005, received by the Local Planning Authority on the 13<sup>th</sup> May 2025.
- General Arrangement Section 278 Works (Amended), Scale 1:500, Drawing Number: A24085-0100-001, Rev: P03, received by the Local Planning Authority on the 18<sup>th</sup> January 2025.
- Vehicle Tracking (Amended), Scale 1:500, Drawing Number: A24085-0100-002, Rev: P03, received by the Local Planning Authority on the 4<sup>th</sup> December 2025.

### 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 First Occupation Conditions:

3. The new access, access road, and parking arrangements hereby approved must be constructed, completed and brought into use prior to the first occupation of any dwelling hereby permitted as detailed on the following approved plans:

- Proposed Site Layout (Amended), Scale 1:200, Dwg: 24085 (PL) 010 C, received by the Local Planning Authority on the 4<sup>th</sup> December 2025.
- General Arrangement Section 278 Works (Amended), Scale 1:500, Drawing

Number: A24085-0100-001, Rev: P03, received by the Local Planning Authority on the 18<sup>th</sup> January 2025.

The access, access road and parking arrangements must remain operational as approved at all times thereafter.

Reason

To ensure that the proposed new access road is constructed within a reasonable timescale, in the interests of highway safety (and general amenity) in accordance with Policy CO4 and CO7 of the Copeland Local Plan.

4. Prior to the first occupation of each dwelling hereby approved, the boundary treatment on that occupied plot must be installed in accordance with the following approved plans:

- Proposed Site Layout (Amended), Scale 1:200, Dwg: 24085 (PL) 010 C, received by the Local Planning Authority on the 4<sup>th</sup> December 2025.
- Landscape Plan (Amended), Scale 1:200, Drawing Number: WW/L01 A, received by the Local Planning Authority on the 17<sup>th</sup> July 2025.

The development must be retained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policies DS4 and N6 of the Copeland Local Plan 2013-2028.

Prior to Erection of External Walling Conditions:

5. No superstructure must be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with DS4 of the Copeland Local Plan.



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### Other Conditions:

6. All landscape works must be carried out in accordance with the details illustrated on the following approved documents:

- Landscape Plan (Amended), Scale 1:200, Drawing Number: WW/L01 A, received by the Local Planning Authority on the 17<sup>th</sup> July 2025.
- Plant Schedule, Prepared by Westwood Landscaping Ltd October 2024, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.

The approved works must be implemented in full during the first planting season following completion of the development. Any trees or shrubs which are removed, die or become severely damaged or diseased within ten years of their first planting must be replaced in the next planting season with a similar species and in a similar location within one growing season. Any alterations to the agreed Landscape Plan should be approved in writing by the Local Planning Authority.

The approved landscaping scheme must be retained for the lifetime of the development.

#### Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy N6 of the Copeland Local Plan 2013-2028.

7. The existing hedgerow around the perimeter of the site must be retained for the lifetime of the development in accordance with the following approved documents:

- Landscape Plan (Amended), Scale 1:200, Drawing Number: WW/L01 A, received by the Local Planning Authority on the 17<sup>th</sup> July 2025.
- Plant Schedule, Prepared by Westwood Landscaping Ltd October 2024, received by the Local Planning Authority on the 4<sup>th</sup> March 2025.

#### Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy N6 of the Copeland Local Plan 2013-2028.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings/buildings, 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 in accordance with DS4 of the Copeland Local Plan.

**Informative Notes:**

**Compliance with Outline Consent**

1. The development hereby approved must be carried out in accordance with conditions 1, 2, 3, 4, 5, 6, and 10 of Outline Planning Approval Ref: 4/21/2360/001.
2. The development hereby approved must be carried out in accordance with the approved details for condition 7, 8, 9 and 11 of Outline Planning Approval Ref: 4/21/2360/001 discharged under Planning Approval 4/24/2351/DOC.

**Public Right of Way**

1. The granting of planning permission would not give them the right to obstruct, close or divert the public right of way shown on the attached plan.
2. 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, stop up or to temporarily close it has been confirmed.

**Emergency Planning**

In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) the applicant should liaise with the resilience unit via [emergency.planning@westmorlandandfurness.gov.uk](mailto:emergency.planning@westmorlandandfurness.gov.uk) to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafeld site.

**Biodiversity Net Gain – Exemption**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is



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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.

Applicable exemptions: The approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission).

**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:** C. Burns

**Date :** 29.01.2026

**Authorising Officer:** N.J. Hayhurst

**Date :** 30.01.2026

**Dedicated responses to:-**