

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2197/0B1
2.	Proposed Development:	VARIATION OF CONDITION 2 (PLANS) TO VARY LANDSCAPE INFRASTRUCTURE PLAN OF PLANNING APPROVAL 4/21/2514/0B1 - VARIATION OF CONDITION 2 OF PLANNING APPROVAL 4/20/2016/0B1 FOR CHANGE OF HOUSE TYPES ON PLOTS 11, 12, 14 AND 15 AND ALTERATIONS TO ASSOCIATED LANDSCAPING
3.	Location:	THE MILLFIELDS, LAMPLUGH
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location: This application relates to an area of land extending to 1.9 hectares that lies on the north western edge of Lamplugh. The site is bound on its northern edge by the minor road which adjoins the A5086 at Crossgates approximately 800 metres to the west. This road is lined by a mature hedgerow. The land is bound on its southern edge by Inglenook Caravan Park and a small collection of residential properties. Immediately to the west of the site is bound by a small collection of buildings including the former Mill House and Sawmill which have been converted into residential properties. The land to the north is undulating agricultural land. The western boundary of the Lake District National Park lies approximately 10 metres to the east of the site. The Lake District has been granted World Heritage Site status by UNESCO.	

On the 16th March 2022, Natural England identified that the catchments of Bassenthwaite Lake (River Derwent and Tributaries SSSI unit 1) and River Marron (unit 124 of River Derwent and Tributaries SSSI) which form part of the River Derwent & Bassenthwaite Lake SAC are in an unfavourable condition due to nutrient enrichment from elevated nitrogen and phosphorus levels. The Application Site is located within the impacted catchment.

Recent Relevant Planning Application History:

Application ref. 4/17/2182/0F1 – Proposed residential development of 27 executive dwellings, the erection of a village hall, community facilities and associated infrastructure – Approved subject to Section 106 Legal Agreement.

Application ref. 4/20/2016/0B1 - Application under s.73 for the variation of condition 2 of planning approval 4/17/2182/0F1 for the replacement of dwelling type g on plots 20 & 21 along with the addition of a single storey offshoot to dwelling type e on plots 16, 17 & 19 – Approved subject to Section 106 Legal Agreement.

Application ref. 4/20/2138/0B1 - Variation of condition 2 of planning approval 4/20/2016/0B1 for change of house types on plots 11, 12, 14 and 15 and alterations to associated landscaping – Approved subject to Section 106 Legal Agreement.

Application ref. 4/20/2267/0F1 – Removal of previously approved village hall and replacement with 2no. detached dwellings and detached double garage – Approved.

Application Ref. 4/21/2514/0B1 - Variation of condition 2 of planning approval 4/20/2016/0b1 for change of house types on plots 11, 12, 14 and 15 and alterations to associated landscaping – Approved.

Proposal:

This application seeks to vary Planning Condition 2 attached to application ref. 4/21/2514/0B1 to secure the following revisions:

- Change the surface of the PRow from crushed stone to grass.

Alterations are proposed to the planting notes removing the reference to replacement planting in the first five years of the same species etc..

The Site Management information is amended to remove specified works and referencing – ‘as agreed with the management company’.

Consultee:	Nature of Response:
Parish Council	No consultation response received.



Cumberland Council

	Cumbria County Council – Highways and LLFA	10th July 2025 The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection in principle to the variation of condition 2 Landscape plan to show the as built public right of way on site. Although we have no objection in principle, we as the LHA would like the following points addressed before a final response can be issued. - The self-closing gates should conform with the British Standard for Gaps, Gates & Stiles (BS 5709:2018). - Gates should only be installed if they are needed to control the movement of livestock. A gap is always preferable in terms of accessibility. Evidence is needed from the applicant so the above points can be discharged to allow final response. <i>19th September 2025</i> John Duffy our countryside officer is double checking the details sent through, once I have a response from him ill let you know the outcome ASAP.	
	Cumbria County Council – Countryside Access Officer	<i>24th September 2025</i> As a follow on from the comments we submitted in relation to the gates that have been installed along FP 412004, I can now advise that we will take this forward with the developer as a separate matter outside of the planning application. <i>25th September 2025</i> I am content with the application being approved in the form submitted.	
	Neighbour Responses: The application has been advertised by way of a planning application site notice, press notice and neighbour notification letters. One representation has been received in objection: I strongly object to the recent works that have been undertaken at the Northern		

end of the footpath which has involved the removal of the footstyle and fenceline which now involves a wooden gate set back into the complex instead of the original fenceline. As I am neighboring this building complex I have already been subjected to maintenance crew vehicles using my driveway to park on while they carry out sewage tank emptying and water testing. The sewage pipe has been pushed through my young hedgerow and created gaps and sewage has been left on my gravel driveway. I have had to wait 1hr and 40minutes to leave my property for work while two tankers blocked the road to empty the complex sewage tanks.

My driveway and entrance (and the building complex electric box footing) are also subject to flooding and water run-off and excessive water running down the road from the first entrance to the complex past my property which is washing out the gravel of my driveway and the tarmac road along my entrance. Leave the path natural grass, we need more biodiversity, less grass cutting and grass will help soak up excess water and pollution on the hill before it reaches my driveway. Cattle and sheep are often moved from field to farm using the road and would enter my property, I placed a gate on the gate stoups which are set back to allow you to park your car off the bad bend and road, enabling you safety while opening/closing the gate. The large gap left by the removal of the fencline and footstyle is a magnet for cows and sheep to circle in.

The removal of the fencline and footstyle has created a feeling of being part of the building complex - I do not wish to be any part of the building complex, I value my privacy and do not wish to look at the ranch style wooden paneling. The original fenceline and footstyle offered privacy and a boundary between private property and the building complex, and also looked traditional and inkeeping with the surrounding countryside. I am already having large parcels left at my gateway addressed to properties within the building complex as if I am part of it.

Summary of response: Object.

Development Plan:

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

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

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

The Consolidated Planning Policy Framework for Cumberland comprises the Development



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Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

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

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

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Policy N5: Protection of Water Resources

Strategic Policy N6: Landscape Protection

Policy N14: Woodlands, Trees and Hedgerows

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Strategic Policy CO6: Countryside Access

Other Key Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

National Design Guide (NDG).

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

Cumbria Development Design Guide (CDDG).

Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBA).

Lake District National Park (LDNP).

Lake District National Park World Heritage Site (WHS).

Assessment:

This development is substantially complete.

The proposed revision comprises the change of the surface of the PRow from crushed stone to grass, as existed before the development was undertaken.

Issues were initially raised by Cumberland Council Highways in relation to the provision and

standard of the self-closing gates. These details were approved as part of application ref. 4/21/2514/0B1. The Countryside Access Officer has confirmed that they will take these issues forward with the Applicant as a separate matter outside of the planning application process.

The Countryside Access Officer has raised no objections to the revision.

The revision will not result in harm to the character of the development as a whole and will have a neutral impact upon the wider landscape, non-designated and designated heritage assets including the setting of the Lake District National Park World Heritage Site.

The proposed revision will not materially impact upon the safe operation of public highway network.

The Application Site is located in Flood Zone 1. The proposed revision will not undermine the overall drainage strategy of the development. It will reasonably result in reduced run off and provide some filtration of overland surface water flows.

Ecology

The proposed revision will not result in ecological impacts beyond the approved development and will arguably deliver minor benefits.

As the amendment of a planning permission approved prior to the 12th February 2024, the development is not the subject of mandatory biodiversity net gain.

Pursuant to the identification of the catchments of Bassenthwaite Lake (River Derwent and Tributaries SSSI unit 1) and River Marron (unit 124 of River Derwent and Tributaries SSSI) which form part of the River Derwent & Bassenthwaite Lake SAC as being in unfavourable condition due to nutrient enrichment from elevated phosphorus levels, it is necessary to complete a Habitat Regulations Assessment (HRA).

A HRA was prepared in relation to application ref. 4/21/2514/0B1. This concluded that likely significant effects will not result from the proposed development beyond the existing baseline position i.e. the then ongoing construction and likely completion of application reference 4/20/2138/0B1. The proposed revisions comprising minor revisions to the landscaping scheme will not give rise to likely significant effects. The conclusions of the HRA prepared in relation to application ref. 4/21/2514/0B1 remain applicable.

The retention and management of the soft landscaping is secured by planning condition; therefore, the removal of this from the landscaping plan does not cause harm.

Reconciliation of Planning Conditions

Planning Condition	Retain/Amend
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Cumberland Council

	1.	-
	2.	Amended to refer to revised plan.
	3.	Retain.
	4.	Retain.
	5.	Retain.
	6.	Retain.
	7.	Retain.
	8.	Retain.
	9.	Retain.
	10.	-
	11.	-
	12.	-
	13.	Retain.
	14.	Updated to reflect the amended plans.
	15.	-
	16.	-
	17.	-
	18.	Retain.
	19.	Retain.
	20.	-
	21.	-
	22.	Retain.
	23.	-
	24.	-
	25.	Retain.
	26.	-
	27.	Retain.
<i>Planning Balance</i>		
The proposed revisions are appropriate to the scale, form and character of the development and thus accord with the relevant provisions of the Development Plan.		
8.	Recommendation: Approve amendment of condition	

9.	Conditions: 1.- 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: Location Plan, scale 1:1250, Drawing Number 16158 (SU) 100 Landscape Infrastructure Plan - Drawing Number M2821.01 Rev V Farmhouse Plans and Elevation, scale 1:100 - Drawing Number 16158(PI) 201A B Type Plans and Elevations, scale 1:100 - Drawing Number 16/11/894-24 C Type Plans and Elevations, scale 1:100 - Drawing Number 16/11/894-25 Dwelling Type E – Floor Plans – Drawing Number 16/11/894-06c) Dwelling Type E – Working Elevations – Drawing Number 16/11/894-08c) F Type Plans and Elevations, scale 1:100 - Drawing Number 16158(PI) 207A Dwelling Type G – Plots 20 &21 – Plans & Elevations – Drawing Number 16/11/894-20 H Type Plans and Elevations, scale 1:100 - Drawing Number 16158 (PI) 209 C Garage and Carport Plans and Elevations, scale 1:100 - Drawing Number 16158(PI) 210A Pavilion Plans and Elevations, scale 1:100 - Drawing Number 16158(PI)211A Revised Overall Drainage Plan – Drawing No. 16/11/894-03a Plot 1 (Type K) – Plans & Elevations – Drawing No. 16/11/894-68 Plot 2 (Type K) – Plans & Elevations – Drawing No. 16/11/894-69 Plots 5-8 (Type L&M) – Floor Plans – Drawing No. 16/11/894-71 Plots 5-8 (Type L&M) – Elevations – Drawing No. 16/11/894-72 Plots 9 & 10 (Type N) – Plans & Elevations – Drawing No. 16/11/894-70 Design and Access Statement dated May 2017 Transport Statement prepared by WYG, Reference A102386, dated May 2017 Landscape and Visual Impact Assessment prepared by Barnes Walker, Reference M281_LVA_03.17.01 Rev A Heritage Impact Assessment prepared by Wardell Armstrong, Reference 2-278374, dated February 2017 Flood Risk and Foul Drainage Strategy prepared by Fairhurst, Reference D/I/D/119126/01, dated 11th May 2017 Preliminary Ecological Appraisal prepared by OpenSpace, Reference 17/SCS05v1, dated May 2017 Tree and Hedge Survey Report prepared by OpenSpace, Reference 17/TRE03v1, dated May 2017 Housing Market Assessment prepared by Grisedales dated 16th May 2017 Planning Statement received on 24th May 2017 Phase 1 Desk Top Study (Preliminary Environmental Risk Assessment) Geo Environmental Engineering, Reference 2017-2358, dated 17th May 2017 Reason To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,
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as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved shall be completed in accordance with the Material Samples detailed on Doc Ref. 16/11/894-PPC approved 19th December 2018.

Reason

To ensure a satisfactory appearance of the development, in the interest of visual amenity and in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

4. The development hereby approved shall be constructed in accordance with the approved plans, and maintained thereafter, using the materials approved under Planning Condition 3.

Reason

To ensure a satisfactory appearance of the development, in the interest of visual amenity and in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

5. Development shall take place in accordance with the approved landscaping plans and maintained for the lifetime of the development. Any trees or plants which die, are removed, or become damaged or diseased within the first five years following planting shall be replaced during the next planting season with planting of a similar size.

Reason

To ensure that an acceptable form of landscaping is maintained on the site, in the interests of visual amenity and in accordance with Policy DS5 of the Copeland Local Plan 2021-2039.

6. The replacement hedgerows along the road frontages of the site shall be completed in accordance with the Road Frontage Hedgerow Specification Doc. Ref 16/11/894-H approved 19th December 2018. Any trees or plants which die, are removed, or become damaged or diseased within the first five years following planting shall be replaced during the next planting season with planting of a similar size and species.

Reason

To ensure an adequate boundary treatment and also to minimise the impact of the development within the locality in accordance with the provisions of Policy DS5 Copeland Local Plan 2021-2039.

7. All public landscaped areas shall be maintained in accordance with Landscape Management Plan Doc. Ref. 16/11/894 – LMP approved 8th January 2019.

Reason

To protect and safeguard the amenity of the development in accordance with the provision of Policy DS5 of the Copeland Local Plan 2021-2039.

8. The development hereby approved is to be completed in accordance with the provisions of the Tree Protection Plan (TPP) Doc. Ref. 16/11/894-TPP. Rev. B received 18th March 2020. The radius of the Tree Protection Fencing may be reduced to 12m where this abuts the proposed footpath during the construction of the footpath. The approved tree protection shall remain in place until the completion of the development.

Reason

To ensure that the mature tree which is present on the site is adequately protected as part of the development in accordance with the provisions of Policy N14 of the Copeland Local Plan 2021-2039.

9. Travel Plan Statement - The Millfields, Lamplugh, Workington approved 19th December 2018 shall be implemented as long as any part of the development is occupied.

Reason

In the interests of highway safety and to aid the delivery of sustainable transport objectives in accordance with Policy C04 of the Copeland Local Plan 2021-2039.

10. -

11. -

12. -

13. There shall be no vehicular access to, or egress from the site other than via the approved access.

Reason



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To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the provisions of Policy C02 of the Copeland Local Plan 2021-2039.

14. The visibility splays identified on Landscape Infrastructure Plan - Drawing Number M2821.01 Rev V shall be maintained for the lifetime of the development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splays identified on Landscape Infrastructure Plan – Drawing Number M2821.01 Rev R received 15th March 2022.

Reason

In the interests of highway safety in accordance with the provisions of Policy C02 of the Copeland Local Plan 2021-2039.

15.-

16. The development hereby approved shall be completed in accordance with the drainage specifications detailed on Overall Drainage Plan - Drawing No. 16/11/894-03a received 15th March 2022 and maintained operational thereafter.

Reason

In the interests of highway safety and environmental management and in accordance with Policy DS7 of the Copeland Local Plan 2021-2039.

17.-

18. The development shall not proceed except in accordance with Construction Method Statement Doc Ref. 16/11/894-CMS approved 19th December 2018.

Reason

In the interests of residential amenity and to protect the water environment from pollution, in accordance with provisions of Policy DS6, DS8 and DS9 of the Copeland Local Plan 2021-2039.

19. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours-18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays.

Reason

In the interests of neighbouring residential amenity in accordance with the provisions of the National Planning Policy Framework.

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21. -

22. Following occupation of the first dwelling on the site, refuse collection shall be commenced and maintained in accordance with the Refuse Collection Statement approved 19th December 2018 to the satisfaction of the local planning authority.

Reason

To ensure that adequate provision is made with the development for refuse collection arrangements in the interests of residential amenity and highway safety in accordance with the provisions of Policy C02 of the Copeland Local Plan 2021-2039 and the National Planning Policy Framework.

23.-

24.-

25. The development shall not proceed except in accordance with lighting specification detailed on document reference 16/11/894-PCC approved 19th December 2018. The approved scheme shall be maintained for the lifetime of the development.

Reason

In the interest of residential amenity and in accordance with the provisions of the National Planning Policy Framework.



Cumberland Council

26.-

27. The development shall not proceed except in accordance with Ecological Management Plan – 16/11/894-EMP approved 19th December 2018. The contents of the plan shall be adhered during the construction of the scheme.

Reason

To ensure that adequate protection is given to protected species and in the interests of the environmental protection in accordance with the provisions of Policy N1 of the Copeland Local Plan 2021-2039.

Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: C. Harrison

Date : 30.09.2025

Authorising Officer: N.J. Hayhurst

Date : 07/10/2025

Dedicated responses to:- N/A