

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2240/0F1	
2.	Proposed Development:	RESIDENTIAL DEVELOPMENT CONSISTING OF NO. 5 DETACHED DWELLINGS AND ASSOCIATED WORKS INCLUDING FORMATION OF ACCESS, LANDSCAPING AND DRAINAGE	
3.	Location:	LAND AT SALTHOUSE FARM, SALTHOUSE, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, PROWs - Public Right of Way	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location		
		This application relates to land at Salthouse Road, located to the north of Millom. The site relates to 0.27 hectares of grazing land, and sits to the north east of Salthouse Farm. The land fronts onto the A5093, and is currently accessed from the north via a shared access with	

Salthouse Farm. The application site is bounded to the north and east by the existing farm, the west by the A5093, and to the south by residential properties. A stone wall bounds the front of the site. The site historically housed farm buildings which have since been demolished.

Relevant Planning History

4/06/2477/0 – Outline application for eight houses after demolition of farm building – Approved.

4/06/2850/0 – Erect silage store & cubicle building extension – Approved.

4/06/2851/0 – Demolish existing modern lean to & small traditional buildings, erect milking parlous building & dairy – Approve notice of intention.

4/07/2614/0 – Residential development consisting of eleven dwellings after demolition of farm buildings – Withdrawn.

4/08/2030/0 – Residential development consisting of eleven dwellings after demolition of farm buildings – Approved.

4/10/2596/0F1 – Application for new planning permission to replace an extant permission (4/08/2030/0) for residential development in order to extend time limit for implementation – Approved.

Proposal

This application seeks planning permission for a residential development consisting of five dwellings and associated works including formation of access, landscaping and drainage.

The proposed site will be accessed via a new access point from the A5093, the existing access to the north of the site will be closed and infilled to match the existing stone wall boundary. The development will be formed around a single access road, with two dwellings fronting onto the A5093, and the remaining three dwellings located to the rear of the site fronting the proposed access road.

The proposed dwellings are as follows:

- House Type 1: This house type will be utilised within plots 1 and 2. The proposed dwelling will measure 10.8m x 7.55m with an eaves height of 4.93m and an overall height of 7.41m. The dwelling will benefit from an attached garage projecting 3.14m from the east gable and extending 7.1m along this elevation. The garage will benefit from a mono pitched roof with an eaves height of 2.31m and an overall height of 4.41m. This house type will also benefit from a canopy over the front door. Internally this type of dwelling will accommodate a garage, open plan kitchen/dining room, utility room, living room, study, and toilet. The proposed first floor will accommodate three



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double bedrooms (one with an ensuite bathroom), a single bedroom, and a bathroom.

- House Type 2: This house type will be utilised within plot 4. The proposed dwelling will measure 10.8m x 7.55m with an eaves height of 4.9m and an overall height of 7.42m. The dwelling will benefit from an attached garage projecting 3.14m from the east gable and extending 7.1m along this elevation. The garage will benefit from a mono pitched roof with an eaves height of 2.31m and an overall height of 4.41m. This house type will also benefit from a canopy over the front door and ground floor living room window. Internally this type of dwelling will accommodate a garage, open plan kitchen/dining room/snug, utility room, toilet, and living room. The proposed first floor will accommodate four double bedrooms (one with an ensuite bathroom), and a bathroom.
- House Type 3: This house type will be utilised within plot 3, and a handed version of this house type will be utilised within plot 5 with a slightly different fenestration pattern to the south elevation. The proposed dwelling will be L-shaped and will measure 11.14m x 10.04m at its greatest points, with an eaves height of 4.9m and an overall height of 7.07m. The front elevation of the property will benefit from a stone porch measuring 0.82m x 3.24m, benefitting from a dual pitch roof with an eaves height of 2.15m and an overall height of 3.6m. Internally this type of dwelling will accommodate a garage, open plan kitchen/dining, utility room, toilet, and living room. The proposed first floor will accommodate four double bedrooms (one with an ensuite bathroom), and a bathroom.

Externally the proposed dwellings will be finished with smooth white render, local stone, grey concrete interlocking roof tiles, and grey UPVC windows and doors. Each dwelling will benefit from solar panels installed upon the south roof slope of the properties.

The development will be access from a new access point from the A5093. The access is located within the west of the site and will create visibility splays of 60m in each direction. The development will be access by a shared private drive which will be 4.8m wide for the first 12m into the site and then reduced to a width of 4.2m with a turning head to the rear of the site. A new walled access will be created around the entrance of the site to match the existing stone wall site frontage, which will also be retained as part of the development. Each dwelling will benefit from a driveway providing 2.5 parking spaces and will be finished in tarmac.

It is proposed that surface water from the development will be disposed of via attenuation/existing water course, and foul water will be connected into the existing mains sewer.

Consultation Responses

Millom Town Council

Following our recent town council meeting the councillors asked that a site visit be made to look at the above application. Due to the stress on the now overused sewerage system they

feel that adding additional properties with multiple toilets, bathrooms etc will have a great impact on the existing sewerage system and until the works have been updated feel that no further building of properties should be allowed to be erected.

Cumberland Council – Highway Authority & Lead Local Flood Authority

23rd July 2025

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

- Within the proposed access road no formal drainage has been shown which connects to the proposed surface water sewer, the LLFA request this information is provided within the detailed drainage plan.
- If the proposed driveways are not to be constructed in an impermeable material and channels or similar are to be installed and connected to the proposed surface water system, this will need to be shown on a plan.
- Following the Cumbria Development Design Guide (CDDG) Car parking requirements for a 4 bedroom unit is 2.5 spaces, so the development site should have 12.5 car parking spaces in total, the LHA would accept 12.
- Is the development to remain private? If so a SUDS maintenance schedule will be required.

The above point could be a pre development condition if needed.

- Proposed carriageway and footways are to be designed, constructed, drained to adoptable standard to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval.

The above point could be a pre development condition if needed.

In light of the above comments additional details are required from the applicant. Upon receipt of the amended plans I shall be better placed to provide a full response.

11th August 2025

Thank you for your consultation on the above Planning Application. Please see below points raised on previous response and their current status following additional information received on the 04/08/25.

- Within the proposed access road no formal drainage has been shown which connects to the proposed surface water sewer, the LLFA request this information is provided within the detailed drainage plan.

The applicant proposes the above point to be a pre start condition to which the LHA are content with.

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The applicant proposes the above point to be a pre start condition to which the LHA are content with.

- Following the Cumbria Development Design Guide (CDDG) Car parking requirements for a 4 bedroom unit is 2.5 spaces, so the development site should have 12.5 car parking spaces in total, the LHA would accept 12.

The applicant has submitted information to show the car parking spaces are to the required standard, therefore the above point has been addressed.

- Is the development to remain private? If so a SUDS maintenance schedule will be required.

The above point could be a pre development condition if needed.

The applicant has submitted information to address the above point.

- Proposed carriageway and footways are to be designed, constructed, drained to adoptable standard to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval.

The above point could be a pre development condition if needed.

The applicant proposes the above point to be a pre start condition to which the LHA are content with.

The Local Highway Authority and Lead Local Flood Authority can confirm that we have no objections to the proposal, we would however recommend that the following conditions are included in any consent you may grant: footways/carriageway details, surface water drainage, construction traffic management plan.

United Utilities

All options for the sustainable management of surface water must be thoroughly investigated before we will accept any surface water connections from new development to the public sewer. Where a new surface water connection to the public sewer is proposed, we will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water.

Following our review of the submitted Drainage Layout, ref: 24035 - GAD - ZZ - 00 - DR - C 1000 revision P04, Status S2, dated 27/5/2025, confirming surface water discharges to the watercourse we can confirm the proposals are acceptable in principle to United Utilities and

therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice: drainage layout.

Environment Agency

No comments received.

Cumberland Council – Ecologist

30th July 2025

Suggested Planning Conditions:

Breeding Birds:

To mitigate disturbance effects vegetation clearance should take place outside of the breeding bird season (which runs March to August, inclusive). Where this timing is not possible the area should be checked prior to removal by a suitably experienced ecologist and if active nests found, vegetation left untouched and buffered until all birds have fledged.

Small Mammals:

Any trenches or excavations that are left open overnight should have a means of escape for mammals i.e. a scaffold board to act as a ramp. This is especially important as hedgehogs have been recorded on site.

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 onsite habitat provision 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) the off-site provision is secured through a Section 106 for a period of 30 years, and is approved by the council in writing,
- e) 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.

21st August 2025

Suggested Planning Conditions:

Breeding Birds:



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To mitigate disturbance effects vegetation clearance should take place outside of the breeding bird season (which runs March to August, inclusive). Where this timing is not possible the area should be checked prior to removal by a suitably experienced ecologist and if active nests found, vegetation left untouched and buffered until all birds have fledged.

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- c) the onsite habitat provision 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) if the development does not purchase government credits and off-site units will be purchased instead, the off-site provision is to be secured through a Section 106 for a period of 30 years, and approved by the council in writing,
- e) 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

We have no objection to the development. However, it should be noted that Public Right of Way FP 415022 passes along the southern boundary of the development 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.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters

issued to 3 properties.

One letter of objection has been received raising the following concerns:

- Overlooking into living and sleeping area of the existing dwellings.
- The existing trees in neighbouring garden are diseased and are going to be felled. They will not be a mitigating factor in overlooking.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

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

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

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

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

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

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

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 (2024)

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 Development

Millom is identified in Strategic Policy DS1 of the Copeland Local Plan as one of the Key

Service Centres, which are towns that are self-sufficient providing a wide range of services, including convenience and comparison stores, employment opportunities, schools and healthcare. They also act as service hubs for nearby villages. The focus for development will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

The settlement boundary for Millom is defined in Strategic Policy DS2. The application site is located within this settlement boundary. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

Section 11 of the NPPF promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions, by utilising previously developed or brownfield land.

The application site has a complex planning history. Planning permission (ref: 4/08/2030/0) was granted in 2008 for a residential development of 11 dwellings. A subsequent planning permission (ref: 4/10/2596/0F1) was approved in order to extend the time for implementing planning permission 4/08/2030/0. Confirmation has previously been provided that a lawful start has been made at this site, and therefore the planning permission is now extant.

The previous planning approvals at this site and the extant planning permission establish the principle for developing the site for residential purposes. The extant planning permission is the fallback position for the site which would develop the land for 11 dwellings.

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 falls within the Millom Housing Market Area (HMA) of Copeland Strategic Housing Market Assessment (SHMA). The SMHA suggest a particular focus on the delivery of two and three bedroom and some 4+ bedroom semi-detached and detached dwellings. It is also stated the Council should also consider the role of bungalow and there is a high need for new affordable housing.

The scale of the proposed development comprising of five four bedroomed detached dwelling is appropriate to the scale and designation of Millom as a Key Service Centre.

No affordable housing is proposed as the development falls below the 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 Impact and Visual Impact

Policy N6 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhance 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 Assessment¹⁰⁸ from the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 2d: Coastal Margin – Coastal Urban Fringe. The Key Characteristics of the land comprise: low lying flat land, urban influences linked to tourism development, derelict buildings and major transport routes, strong man-made landforms on coastal edges, mixed land cover of mown grass, pasture, scrub and semi natural grassland, and weak field patterns.

The Guidelines for development include: protect 'green' areas from sporadic and peripheral development, encourage new development on brownfield and vacant sites to protect and enhance habitats, minimise the impact of new development by careful siting, design and high

standards of landscape treatment particularly where public views are affected, and establish new woodland belts or thick hedgerows along the edges of developments to soften their impact, provide a backcloth, define limits of urban expansion and integrate isolated development.

The Copeland Settlement Landscape Character Assessment Landscape Settlement Study November 2021 identifies the Application Site as being in Character Type 2c i: Coastal Urban Fringe. The Green Road to Millom Coastal Plain Character Area (2c i) is considered to have a general High-Medium landscape sensitivity to residential and small-scale employment development. The Character Area has characteristics, including views, which are very susceptible to change and is unlikely to accommodate development without significant character change or adverse effects. Any development should be on a very small scale, in appropriate locations, where it can be demonstrated that proposals would not have an adverse effect on the landscape. The low lying, relatively open nature of the area, intervisibility with the National Park and the undeveloped coast, and lack of existing prominent structures makes this area particularly sensitive to any potential wind turbine or solar array development.

The Copeland Landscape Settlement Study identifies the application site as Green Wedge. Within the Copeland Local Plan Green Wedges are identified as areas that help define and strengthen a sense of place in individual settlements and provide separation between settlements and a clear distinction between town and country. Strategic Policy N10 of the Copeland Local Plan states that development will only be permitted within a Green Wedge in the following circumstances, unless the economic, environmental or social benefits of the proposal significantly and demonstrably outweigh any harm: where the open character of the Green Wedge and separation between settlement is maintained; and where its functionality and the special characteristics and quality of the landscape are conserved and enhanced.

The application site is located upon the northern edge of Millom and lies between Salthouse Farm and the existing dwellings on Salthouse Road. The development of the site will therefore not extend development further into open countryside than the existing built form. Whilst the site is located within the Green Wedge there is an extant planning permission on the site for eleven residential dwellings. The current proposed scheme significantly reduces the number of dwellings on the site to five detached dwellings. The reduced scheme helps to better reflect the character of this part of the settlement, which benefits from detached dwellings in a semi rural location, and helps to retain the openness of the Green Wedge. Additional landscaping within the development will also help to mitigate the impact of the development and soften the development within the landscape. A condition will be included to secure and retain the proposed landscaping scheme.

A condition will also be included to remove permitted development rights from the dwellings to protect the semi-rural nature of the development site and ensure that the site does not impact on the Green Wedge designation.

The proposed development is considered to respect the form, density and character of the



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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 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.

Following a number of pre application discussions with the applicant regarding this site, the proposed development has been designed to consider the edge of settlement location and the Green Wedge designation which has been implemented since the original approval for the site. The current scheme significantly reduces the number of dwellings proposed from eleven detached and semi-detached dwellings to five detached properties. The proposal also seeks to create a new single access point from the A5093 and creates a site frontage.

The amended scheme seeks permission for a development of a scale more suitable for the edge of settlement location. The use of detached dwellings better reflects the character of the area, and the overall design of the properties reflects the those found within this part of Millom. The creation of a site frontage also enhances the development which will be located within a prominent position within main access route to Millom from the north.

Limited details have been provided with regard to the proposed external materials and solar panels, therefore these details will be secured by condition.

The application site is bound to the front by a stone wall. This is a key feature within this sensitive location. The submitted proposed site plan indicate that this wall be retained as part of the development. A planning condition is proposed to secure its retention. A condition will also be utilised to secure the proposed boundary treatment for the development.

Given the form and layout of the proposed development, adverse impacts upon the residential amenity of the existing residents through loss of daylight, loss of sunlight, overshadowing, overbearing effects or overlooking will not result due to the separation distances achieved. Whilst concerns have been raised from a neighbouring property regarding overlooking the separation distances are considered acceptable within this location and are much greater than those within the approved extant planning permission at this site.

On the basis of the proposed conditions, it is considered that the development would be in accordance with Policies DS4 of the Copeland Local Plan, and 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.

The development will be accessed from the A5093 via a new access point to a single spine road through the development. The existing site access to the north will be closed and infilled to match the existing stone wall boundary.

Following clarification from the agent in relation to the initial points raised by the Highway Authority, they have confirmed no objections to the proposal subject the inclusion of conditions relating to securing footways/carriageway details, and a construction traffic management plan.

Whilst not specifically requested by the Highway Authority an additional condition will also be placed on the decision notice to secure and retain visibility splays from the proposed new access. A condition will also be utilised to secure the permanent closure of the existing access to the north of the site.

Based on the inclusion of the requested conditions, the proposal is considered to be compliant with the Policy CO4 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.

The application is however supported by a Flood Risk Assessment. This assessment concludes that the development of this site and the proposed drainage strategy will have no detrimental effect on flood risk to the surrounding area and will be well protected from flooding due to the raised finished floor levels relative to the modelled flood levels.

The application proposes that surface water from the development will be disposed of via attenuation/existing water course, and foul water will be connected into the existing mains sewer.

Whilst UU have confirmed that the proposed drainage arrangements are acceptable, the LLFA have requested additional details in relation to the proposed surface water for the development. A condition will therefore be placed upon the decision notice to secure a surface water scheme for the development. The condition requested by UU will therefore be included but amended to secure the proposed foul drainage for the development.

Millom Town Council have offered concerns in relation to the foul drainage for this development and the existing stressed on the overuse sewage system in the area. They have requested that no additional properties be constructed until works have been undertaken to update the system. Notwithstanding this the site has extant planning permission for 11 dwellings, the reduced number of properties is considered to have significantly less impact than the larger scheme which could be developed. A condition will be included to secure details of the foul drainage system for the development.

Based on the inclusion of the requested conditions, the proposal is considered to be compliant with the Policy DS6 and DS7 of the Copeland Local Plan, and provisions of the NPPF.

Impact on Ecology and Biodiversity

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development.

The proposed development would result in a loss of 0.8 habitat unit. The construction of 5 properties with access routes and parking areas will create 1444m² of urban habitat with sealed surface. The remaining 1219m² on site will provide front and rear gardens for each of the properties, providing 0.26 habitat units. This still leaves a significant biodiversity loss according to the metric. The units shortfall summary on the BNG calculation tool indicates that there is a shortfall of 1.24 units, after the creation of the new dwellings and gardens. Due to the constraints on the site, it is not possible to fully balance the BNG requirements on site. Initially the applicant sought to secure BNG enhancements via an off site location however this was not under jurisdiction of Cumberland Council and therefore could not be secured. Based on this the scheme has been amended with the developer now opting to purchase

offsite biodiversity credits to compensate for the onsite losses.

Relevant conditions will be included in this decision notice to secure BNG for this development.

The application is also supported by a Preliminary Ecological Appraisal. This report concludes the following:

- Due to the poor-quality habitat present on site, small size of the land parcel, and the close proximity of a busy road, working farm and residential properties, there is considered to be no significant scope for any notable or protected species to be present on site.
- There are considered to be no features of ecological interest or concern which could affect, or be affected, by the proposed works.
- No further ecological surveys are required.
- Simple mitigation proposals are included regarding potential impacts on foraging terrestrial mammals and adjacent nesting birds (in hedges and trees nearby).

A suitably worded planning condition will be utilised to secure delivery of the required mitigation prescribed within the Preliminary Ecological Appraisal.

Subject to the planning conditions set out above the proposal is considered to achieve the requirement of Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF.

Planning Balance and Conclusions

The application site is located within the defined settlement boundary for Millom, which is identified within the Copeland Local Plan as a Key Service Centre.

The application site benefits from an extant planning permission for the redevelopment of the site for eleven dwellings, therefore the principle for developing the site for residential purposes has been established.

The proposed housing mix is considered to reflect the provisions of the SHMA.

The application site now lies within the Green Wedge, which was not a designation when the extant permission was granted. The current scheme therefore significantly reduces the number of dwellings on the site to better reflect its semi-rural nature and to retain the openness of the Green Wedge.

The current reduced scheme is a suitable scale for an edge of settlement development and is not considered to intrude into the open countryside due to its location between the existing built form and Salthouse Farm. The overall design is considered acceptable, and the development is not considered to have an adverse impact on neighbouring properties.

Conditions will be utilised to secure details of materials, solar panels, boundary treatments,

	<p>and to secure the retention of the existing stone boundary wall.</p> <p>A new access is proposed from the A5093 with no objections from the Highway Authority subject to conditions. No objections have been received from consultees regarding drainage, however additional details will be secured by condition.</p> <p>Conditions will also be included to secure BNG and ecology mitigation at the site.</p> <p>On balance, the proposal is 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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"> 2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> - Application Form, received by the Local Planning Authority on the 8th July 2025. - Location Plan, Scale 1:1250, Sheet: P101, Revision: P1, received by the Local Planning Authority on the 8th July 2025. - Site Topographical Survey, Scale 1:250, Sheet: P102, Revision: P1, received by the Local Planning Authority on the 8th July 2025. - Site Layout Plan (Amended), Scale 1:250, Sheet: P103, Revision: P3, received by the Local Planning Authority on the 21st October 2025. - Proposed Block Plan (Amended), Scale 1:500, Sheet: P104, Revision: P2, received by the Local Planning Authority on the 31st July 2025. - Plot 1 (Type 1 House) Plans and Elevations, Scale 1:100, Sheet: P105, Revision: P1, received by the Local Planning Authority on the 8th July 2025. - Plot 2 (Type 1 House) Plans and Elevations, Scale 1:100, Sheet: P106, Revision: P1,

received by the Local Planning Authority on the 8th July 2025.

- Plot 3 (Type 3 House) Plans and Elevations, Scale 1:100, Sheet: P108, Revision: P1, received by the Local Planning Authority on the 8th July 2025.
- Plot 4 (Type 2 House) Plans and Elevations, Scale 1:100, Sheet: P107, Revision: P1, received by the Local Planning Authority on the 8th July 2025.
- Plot 5 (Type 3 House) Plans and Elevations, Scale 1:100, Sheet: P109, Revision: P1, received by the Local Planning Authority on the 8th July 2025.
- Proposed Street Scene, Scale 1:100, Sheet: P110, Revision: P1, received by the Local Planning Authority on the 8th July 2025.
- Drainage Layout, Scale: 1:250, Drawing No: 24035-GAD-ZZ-00-DR-C-1000, Rev: P04, received by the Local Planning Authority on the 8th July 2025.
- Flood Risk Assessment, Prepared by Gadsden Consulting January 2025, received by the Local Planning Authority on the 8th July 2025.
- Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Amended), Prepared by South Lakes Ecology February 2025 updated October 2025, Report: 0224/7, received by the Local Planning Authority on the 21st October 2025.
- The Statutory Biodiversity Net Gain Tool (Amended), received by the Local Planning Authority on the 21st October 2025.
- Supporting Statement, Prepared by Stephenson Halliday Ltd, received by the Local Planning Authority on the 8th July 2025.
- Boundary Treatment Plan (Amended), Scale 1:250, Sheet: P111, Revision: P2, received by the Local Planning Authority on the 31st July 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.

Ecology & Biodiversity

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:
 - Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Amended), Prepared by South Lakes Ecology February 2025 updated October 2025, Report: 0224/7, received by the Local Planning Authority on the 21st October 2025.



Cumberland Council

- The Statutory Biodiversity Net Gain Tool (Amended), received by the Local Planning Authority on the 21st October 2025.

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.

Pre Commencement Conditions:

5. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained thereafter in accordance with the schedule.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

6. The development hereby approved must not commence until visibility splays providing clear visibility in accordance with approved plan 'Site Layout Plan (Amended), Scale 1:250, Sheet: P103, Revision: P3, received by the Local Planning Authority on the 21st October 2025' have been provided.

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 grown within the visibility splay which obstruct the visibility splays.

The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety in accordance with Policy CO4 of the Copeland Local Plan.

7. The carriageway, footways, footpaths, cycleways, driveways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before work commences on site. No work must be commenced until a full specification has been approved. These details must be in accordance with the standards laid down in the current Council Design Guide. Any works so approved must be constructed before the development is complete.

Reason

In the interests of highway safety in accordance with Policy CO4 of the Copeland Local Plan.

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

- Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;

- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- Cleaning of site entrances and the adjacent public highway;
- Details of proposed wheel washing facilities;
- The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian);
- Surface water management proposals during the construction phase;
- Specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety.

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

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance with Policy CO4 of the Copeland Local Plan.

Prior to Erection of External Walling Conditions:

9. 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.

Prior to First Use/Occupation Conditions:

10. The foul drainage for the development hereby approved, must be carried out in accordance with principles set out in the submitted Drainage Layout, ref: 24035 - GAD - ZZ - 00 - DR - C 1000 revision P04, Status S2, dated 27/5/2025. For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the foul drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

11. Prior to the first occupation of any dwelling hereby approved, the existing access to the north of the site must be closed and replaced within a stone wall in line with the details within the approved plan 'Boundary Treatment Plan (Amended), Scale 1:250, Sheet: P111, Revision: P2, received by the Local Planning Authority on the 31st July 2025'. This access must remain closed as per the approved details for the lifetime of the development.

Reason

In the interests of highway safety in accordance with Policy CO4 of the Copeland Local Plan.

12. Prior to the first installation within the development hereby approved, details of the proposed solar panels will be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual

amenity in accordance with DS4 of the Copeland Local Plan.

13. Prior to the first occupation of any dwelling hereby approved, the boundary treatment at this site must be installed in accordance with the approved plans 'Boundary Treatment Plan (Amended), Scale 1:250, Sheet: P111, Revision: P2, received by the Local Planning Authority on the 31st July 2025'. Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

To protect residential amenity in accordance with DS4 of the Copeland Local Plan.

Other Conditions:

14. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'Flood Risk Assessment, Prepared by Gadsden Consulting January 2025, received by the Local Planning Authority on the 8th July 2025', and must be maintained as such at all times thereafter.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

15. All hard and soft landscape works must be carried out in accordance with the details illustrated on the following approved documents:

- Site Layout Plan (Amended), Scale 1:250, Sheet: P103, Revision: P3, received by the Local Planning Authority on the 21st October 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.

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.

16. The existing stone boundary wall along the A5093 must be retained at all times in accordance with the details submitted in the approved document 'Boundary Treatment Plan (Amended), Scale 1:250, Sheet: P111, Revision: P2, received by the Local Planning Authority on the 31st July 2025'.

Reason

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

17. 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:

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.

Biodiversity Net Gain – Applicable

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.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

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.

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 : 06.11.2025

Authorising Officer: N.J. Hayhurst

Date : 07.11.2025

Dedicated responses to:- N/A