

Application Reference Number:	4/25/2241/0F1
Application Type:	Full Planning Application
Application Address:	Woodland Nurseries, Stamford Hill, Lowca.
Proposal	Erection of new glasshouse for plant production facility as an extension to existing nursery, with associated drainage and landscaping.
Applicant	Blomfields Ltd
Agent	SRE Associates
Valid Date	9 th July 2025
Case Officer	Chris Harrison

Cumberland Area

Copeland and Lowca.Parish

Relevant Development Plan

Copeland Local Plan 2021-2039.

Reason for Determination by the Planning Committee

The proposed development exceeds 10,000 sqm; therefore, it falls within the definition of a strategic planning application for the purposes of the Cumberland Council Planning Scheme of Delegation.

Recommendation

It is recommended that Members grant Full Planning Permission subject to the planning conditions outlined at the end of this report with the Head of Planning and Place being given delegated authority to add to and/or make any amendments to the conditions as considered appropriate.

1. Site and Location

The Application Site comprises land to the north/west of Woodland Nurseries, Stamford Hill, Lowca.

Woodland Nurseries comprises a commercial nursery supplying bedding plants on a wholesale basis to retailers nationwide.

The existing nursery comprises c.7.8 ha of glasshouses with associated offices, living accommodation, storage areas, loading areas and parking areas.

The Application Site comprises an area of agricultural land located to the north/west of the existing commercial nursery premises. The wider area of agricultural land slopes from north to south and is both enclosed and in part sub-divided by a range of existing fences and hedgerows.

The Application Site is bounded by the following: an existing Public Right of Way (PRoW), National Cycleway 72 and existing glasshouses to the south; agricultural land, a Public Right of Way (PRoW) and dwellings comprising part of the village of Lowca to the north; agricultural land and dwellings comprising part of the village of Lowca west; and, an existing glasshouse with associated infrastructure to the east.

A Public Right of Way (PRoW) and National Cycleway 72 exists to the south; a PRoW exists to the north; and, a Bridleway exists to the west.

There are no listed buildings on or directly adjacent to the Application Site.

The Application Site is located within Flood Zone 1, which is the lowest category of flood risk.

The access to the existing glasshouse and land proposed for habitat enhancement is identified as risk of surface water flooding.

Land to the north and land to the south of the Application Site are located in an area defined by the Mining Remediation Authority as high risk.

Land to the south of the Application Site is identified as potentially contaminated land.

Electricity Pylons cross the west of the Application Site.

2. Relevant Information

The access between East Road and Woodlands Nurseries is in the ownership of Cumberland Council. It is understood that Cumberland Council is not liable for the maintenance/repair of the access.

3. Directly Relevant Planning Application History:

App. Ref. 4/20/2022/0F1 - New glasshouse comprising of 3.2ha of building with access, hard standings, attenuation pond and landscaping – Approved subject to planning conditions.

4. Proposal

Full Planning Permission is sought for the erection of glasshouses measuring 1.82ha in floor area.

The glasshouses comprise an extension of the existing 3.2ha glasshouse located to the north of Woodlands Nurseries.

The glasshouses comprise glazed aluminum framed structures that contain glazed panels. The glasshouses are under dual pitched roof structures with eaves and ridge heights of 4m and 5m respectively.

It is proposed to both part excavate and part fill the land within the Application Site to create a level area consistent in level to the existing glasshouse on which to site the proposed extension.

It is proposed to serve the existing glasshouse and proposed extension via the existing access crossing the PRow and National Cycleway 72, existing loading bay and existing infrastructure etc. serving the existing 3.2ha glasshouse.

It is proposed to dispose of surface water from the proposed extension via the existing surface water attenuation basin serving the existing glasshouse, which discharges at an attenuated rates to an existing watercourse. The water held in the attenuation basin is to continue to be extracted and used to water the plants within the glasshouses following treatment.

A scheme of landscaping is proposed.

A scheme of on-site landscaping and habitat enhancement is proposed to deliver a Biodiversity Net Gain of ten percent.

5. Consultation Responses

Lowca Parish Council

Object in the strongest possible terms to this application.

The material planning issues raised comprise the following:

The existing glasshouses now occupy a larger footprint than the whole of the village of Lowca.

The white light from the glasshouses cause difficulties for residents. Some residents complain that their upstairs rooms are lit 24/7 as a result, making sleep difficult year-round. The white light be seen from as far away as Moresby village.

The sun glare from the glasshouse roofs has a detrimental effect on residents with chronic neurological conditions and it is feared that this will increase.

The development will result in an increase in diesel fumes, noise and dust, which will be especially dangerous for residents with existing chronic conditions such as lung or heart conditions, chronic migraines and other sensitivities.

Previously agreed times for transport to and from the site were between 7am and 10pm, believed to be stipulated in the existing operation license, but lorries regularly leave the site at 2am, 3am and 4am, year round. This causes noise disturbance for residents of the village and further deteriorates an already disintegrating road surface on Stamford Hill Road. The 10mph speed restriction not followed.

The roads throughout the village of Lowca were not built to accommodate trucks of the size already used on site. Carriageway deterioration is already in evidence and with the increased traffic to and from the site, inevitable from such a development, this will worsen. Whilst it is acknowledged that the operator does not intend to increase the number of their own trucks in operation, there are genuine concerns that other contractors will be entering and leaving the site, thus increasing the overall volume of heavy traffic through the village.

Concerns is raised for pedestrian safety, both for adults and children. The original site plan for the crossing of the PRow and National Cycleway 72 included for a closed gate and an operative to ensure public safety, although this never happened.

HGVs approaching the T Junction of the C4001 and the A595 do so in the middle of the road as they are beyond the design capacity of the roads. These roads are also being badly eroded by this traffic. The Highways Authority has requested submission of a Traffic Management Plan this has not been submitted.

A footpath crosses the site and this should be maintained, both during construction and afterwards, should the application be approved.

Despite numerous enquiries, the Parish Council been unable to ascertain who owns Stamford Hill Road, and, therefore, unable to request resurfacing to a useable standard. Whilst this remains the case, articulated lorries continue to traverse the road to and from the site, causing further deterioration, and nuisance to the village.

The site has not been a 'good neighbour' to the village over many years and it is feared that this will not improve with further development.

The proposed screening for the site will block the view across the valley for the existing properties and, therefore, be detrimental to their amenity, although the residents have no desire to look out of their windows onto even more greenhouses. It is felt the value of properties in Lowca has already been negatively affected by this development and the villagers feel very strongly that enough is enough.

The Ecological Report was carried out in December when very little of the flora and fauna would be in evidence. Bats hibernate during this time, and no consideration was given to deer, red squirrels, badgers and frogs which are commonly seen, although rarely at the time of the survey was carried out. The development would have an impact on wildlife and on the abundance of native flora that grows in the vicinity.

The development is an inappropriate use of land which is currently agricultural and used to feed livestock.

Vale View has flooded twice in the past and the field was gouged out to put in becks to divert the water away from the houses. Locally the area is known as 'Watery Lonning'. There does not appear to be any flood mitigation included in the proposed development.

Given the number of reasons for objections and the strength of feeling of the village, the Parish Council requests members of the Cumberland Council Planning Committee hold a site visit and meet with members of the Parish Council before this application is decided.

Active Travel England

No comments.

Cumberland Council Highways

Response 1

As an extension of the existing nursery are satisfied that the operational trips and routing will not be materially worse than the existing operational traffic.

The development uses the existing access track which is of a suitable layout with the necessary visibility and construction for construction traffic and separate from the public bridleway. The bridleway at the access crossing was upgraded to a suitable construction during the earlier scheme under application ref. 4/20/2022/0F1.

Solway Road is an unadopted road and as such so the LHA would not fund any improvement or repairs required. Any pre-condition survey and remedial works would have to be arranged and agreed with the owners of the highway.

The construction phase will involve many HGV movements, and this has the risk of causing damage and/or conflict on the highway network if not managed. It is recommended that a planning condition is imposed securing a Construction Traffic Management Plan.

There are no public rights of way affected by the proposal during use. Bridleway No. 413006 is crossed during construction.

Response 2

Photographic Landscape Analysis - No comment

Agent Response to Consultation Responses - The information explained in this letter does not materially change the LHA's understanding of the application and its potential for impacting the highway and its users. It clarifies some matters, but the LHA's previous assessment is still valid along and the response of 17 July still applies along with the recommended conditions and advisory statement.

Cumberland Council – Countryside Access Team

No objection to the development.

It is highlighted that Public Right of Way FP 413006 passes along the southern boundary of the development site and that 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.

Cumberland Council Lead Local Flood Authority

Flood Risk

The Application Site is in Flood Zone 1 and is not shown to be at risk from any source of flooding.

Surface Water Drainage Strategy

The proposed surface water drainage strategy follows the drainage hierarchy. Satisfied that infiltration is not feasible and that a controlled discharge to Lowca Beck via the existing attenuation basin and outfall is acceptable. The design and calculations demonstrate that the principles of the SUDS design standards are met. The strategy mimics the existing flow paths and meets the greenfield QBar rate for the drained area of the greenhouses.

The existing drainage system includes the following features which makes it an acceptable design:

- Hydrobrake control to Greenfield rate of 87.6 l/s.
- Managed exceedance route over the basin edge via a high level overflow.
- A perimeter swale to convey any off-site flows around the greenhouses to prevent flooding elsewhere.
- Suitable treatment of roof water is provided by a dry basin according to the SUDS indices but they also intend to use an ACO V Septor separator.

A planning condition is proposed to secure a Construction Surface Water Management Plan.

The Coal Authority

Material consideration.

The Application Site falls partly within the defined Development High Risk Area (DHRA).

The Coal Authority's information indicates that the access track lies in an area of outcropping coal seams, which may have been worked in the past. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

The Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application.

However, it is noted that the proposed glasshouse facility extension lies outside of the DHRA i.e. falls within the Development Low Risk Area.

Do not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and we DO NOT OBJECT to this planning application.

Recommend that an Informative Note be included on any planning permission granted identifying the potential risk and identifying the actions to be taken in the event that workings are identified.

Cumberland Council Arboricultural Consultant

Following completion of a site visit, have the following comment/observation to make on the proposed development.

The applicant has submitted a landscaping plan produced by Westwood Landscape Design (Ref. No.WW/L01A Rev.A). The plan contains a specification for the trees and plants and a detailed planting scheme.

The proposed development does not require the removal of existing trees.

Recommend the imposition of a planning condition securing completion of the landscaping scheme by the end of the first planting season following substantial completion of the development.

Cumberland Council Environmental Health

Response 1

Contaminated Land – The site sits adjacent to a former mineral railway line and the entrance to the glasshouse was utilised as a sheep wash dip in the past. The site itself shows no former industrial use on historical OS maps though it may be underlain by former coal workings. The issue of potential historical contamination was dealt with during the previous planning permission – application ref. 4/20/2022/0F1 when a Preliminary Environmental Risk Assessment was carried out. The risk of contamination was assessed as being negligible or very low. Since this

development will utilise the existing access road, no further work on potential contamination is required. As a safeguard against encountering shallow coal workings during ground works, a planning condition in relation to unexpected contamination could be imposed given the general historical industrial nature of the area.

Construction works – Support the imposition of planning conditions securing a Construction Traffic Management Plan and Surface Water Management Plan. Request the imposition of a planning condition limiting the hours of construction.

External Artificial Lighting – A general condition to restrict obtrusive lighting was imposed on the previous planning permission application ref. 4/20/2022/0F1. Support the inclusion of the same planning condition. so it would be sensible to do so on this proposed extension of the nurseries.

Internal Artificial Lighting - If artificial lighting from within the glasshouses causes severe impact on residential amenity, possible redress is available through the statutory nuisance provisions of the Environmental Protection Act 1990.

Response 2

In response to the Agent's letter dated September 2025:

- We have no objections to the proposed working / operating hours of the development and there are no complaints on record relating to late working at this premises.
- The operation of the nurseries is not intrinsically noisy and there are no complaints on record relating to noise at this premises.
- The Agent has advised that no external artificial lighting will be provided to this extension. Environmental Health would therefore be satisfied if the suggested condition (in our initial response dated 30.07.25) relating to external artificial lighting is not imposed if Planners feel that this is appropriate.

Response 3

Thank you for your recent email outlining representations in objection to the above planning application.

An Air Quality Assessment for this development is not considered necessary, given the relatively low levels of air pollutants that affect the Copeland District and it is not expected that this development will significantly affect local air quality.

Cumberland Council has produced its 2024 Air Quality Annual Status Report (ASR) which is available online –

https://www.cumberland.gov.uk/sites/default/files/2025-08/asr_cumberland_2024_final.pdf

This contains data from 24 x non-automatic monitoring sites within the Copeland District, monitoring Nitrogen Dioxide (NO₂) and Sulphur Dioxide (SO₂) emissions from road traffic, industry and domestic sources.

The objection has raised a potential impact on local air quality from the development, specifically from road traffic and machinery (NO₂ and Particulate Matter), pesticides and fuels (VOCs), Ozone, Ammonia and pesticide / herbicides chemicals.

The Council monitors NO₂ levels by way of passive diffusion tubes. The nearest monitoring site is at Main Street, Distington (roadside) which recorded an annual mean level of NO₂ of 14.6 ug/m³.

It is, however, possible to extract data from DEFRA air quality monitoring sites for Lowca that show modelled background annual mean levels for 2024 for the following pollutants:

Air pollutant Objectives (ug/m ³)	Lowca Level (ug/m ³)	National UK Air Quality
NO ₂	2.61	40
PM ₁₀	6.72	40
PM _{2.5}	4.05	20
Benzene (VOC)	0.13	5 (annual average)
Ozone	0 days in 2024 where the daily maximum running 8 hour mean exceeded 180 ug/m ³ .	

As can be noted from the above figures, the predicted annual background levels of air pollutants in Lowca are well below the national target objectives and local air quality is described as good.

The <https://naei.energysecurity.gov.uk/emissionsapp/> website provides a map of 1km squares for Ammonia (NH₃) emissions in the UK.

NH₃ emissions in the Lowca area are given as 1.31 tonnes per annum, of which 1.16 tonnes is from agriculture and farming.

The Gov.UK website for emissions of [Ammonia](#) show that the trend of UK emissions is downward, and that the major sources of NH₃ emissions are from cattle and other livestock.

The Agent has already provided a written response (dated September 2025) with regards to use of chemicals in the nursery, and use of larger capacity HGVs in transportation.

Environmental Health would have capacity to hire portable gas monitors for any residents that suffer odour or nuisance from pollutants.

We again also reiterate that there has been no past complaints in relation to noise, and the statutory nuisance provisions of the Environmental Protection Act 1990 may provide potential redress for any residents affected by excessive noise from the development.

In summary, Environmental Health do not object to this proposed development and the available data for local air quality should provide reassurance to residents that Lowca is not unduly affected.

Cumberland Council – Ecologist

Mitigation and best practice guidance is provided in relation to impacts upon badgers and small mammals, bats, breeding birds and amphibian during the construction period.

A planning condition is proposed to secure delivery of the required biodiversity net gain of ten percent.

United Utilities

The proposals are acceptable in principle.

Request the imposition of planning conditions securing delivery of scheme in accordance with the submitted details and retention for the lifetime of the development and securing ongoing maintenance and management of SuDS features.

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

Natural England

No consultation response received.

Environment Agency

No consultation response received.

National Grid

There are no National Grid Electricity Transmission assets affected in this area.

SP Electricity North West Limited

We can confirm that there is SP Electricity North West Ltd (SP ENWL) infrastructure located on or adjacent to land associated with the above application.

The applicant should be advised that great care should be taken at all times to protect electrical apparatus and any personnel working in its vicinity. Anyone working in proximity to any of our apparatus (whether above or underground) should be referred to two relevant documents produced by the Health and Safety Executive (available from The Stationery Office Publications Centre and The Stationery Office Bookshops), and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services

GS6 – Avoidance of danger from overhead electric lines

It is advisable that the developer and/or their contractors make contact with SP ENWL as soon as reasonably practicable to discuss the location of our assets and their proposals, to ensure there is no unnecessary delay to any works they wish to carry out.

Cumberland Council – Development Plans

No consultation response received.

Lake District Ramblers

No consultation response received.

Public Consultation

The application has been advertised by way of a press notice, site notice and notification letters issued to neighbouring properties.

Consultation 1

A total of 135 representations were received in response to the consultation:

- 85 representations were in objection
- 70 representations were in support

The material planning issues raised comprise the following:

Objections:

1. Traffic and Highway Safety

- Significant concern regarding increased HGV traffic through Lowca village.
- Highways are described as narrow, degraded, and unsuitable for large vehicles.
- Articulated lorries cause safety risks to children, pedestrians, cyclists, and dog walkers.
- Conflict with safe use of cycleway and bridleway. Inadequate separation and signage.
- Requests for provision of alternative access routes or bypass roads to mitigate impact of HGV traffic on Lowca.
- Concerns regarding the conflict with the children's play area from increased vehicle movements.
- Damage to adopted roads.
- Damage to unadopted and unsealed roads (Solway Road and Stamford Hill) with no responsibility taken for repairs.
- Traffic speed controls, restricted vehicle access hours, dust suppression measures and acoustic barriers should be installed.
- The suitability of the A595 junction with Lowca to accommodate HGV traffic is an area of concern.

2. Noise, Light, and Air Pollution

- Noise and vibration disturbance from HGVs operating during early morning and late-night hours.
- Light pollution and glare from existing glasshouses impact sleep. The proposed extension will exacerbate this issue.
- Light screens should be installed to prevent harm.
- Diesel emissions and dust from HGVs and construction vehicles cited as health hazards.
- Chemical use (fertilizers, pesticides) hold potential for contamination of air and water.

3. Environmental and Wildlife Impact

- Loss of green space and biodiversity, including habitats for deer, owls, bats, frogs, and wild orchids.
- Ecological surveys conducted in winter deemed inadequate and unrepresentative.
- Risk of pollution to Lowca Beck and surrounding ecosystems.
- Impact on pollinators and aquatic life due to runoff and chemical use.
- There will be negative environmental effects from the hundreds of square meters of concrete required to provide the base for the footprint of the proposed development.
- The use of Pesticides used in industrial plant growing are listed on the HSE website as being hazardous to health of people wildlife and the environment and there are Control of Pesticides Regulations (COPR) to keep People, Environment and Employees Safe but this is not mentioned within the application.

4. Visual Amenity and Landscape Character

- No Landscape and Visual Impact assessment seems to have been submitted
- The development will result in landscape and visual harm.
- Glasshouses described as industrial eyesores, incompatible with the rural setting.
- Visual intrusion into residential views and countryside walks.
- Lack of effective landscaping and screening, especially in winter months.
- No glint and glare assessment provided despite acknowledged visual impact.
- What would occur if the business was to cease trading?
- The development ignores local character, context and is not sensitively sited.

5. Procedural and Transparency Concerns

- Allegations of misleading information in the planning application (e.g. denial of industrial activity).
- Redacted pre-application advice and declarations of interest.
- Lack of public consultation and engagement with affected residents.
- Perceived failure to enforce previous planning conditions.

6. Social and Community Impact

- Claims of limited local employment.
- No demonstrable community benefit.
- Concerns about cumulative impact on village life.

7. Physical and Mental Health

- The development will have adverse impacts upon the physical and mental health of existing residents – Cause new problems and exacerbate existing conditions of neighbouring residents.
- Proximity to homes causing privacy concerns.

8. Planning Policy Conflicts

- There is no need for the development.
- The proposal is alleged to conflict with multiple policies in the Copeland Local Plan (2021–2039), including:
 - DS4, DS5, DS9 – Design, landscaping, and air quality
 - SC1 – Health and wellbeing
 - CO5 – Transport hierarchy
 - N1, N5, N6, N14 – Biodiversity, water protection, landscape, and trees
 - RE1 – Agricultural buildings
 - NPPF Paragraphs 110, 112, 116, 174 185 and 199 – Protection of public health, residential amenity, and landscape

Support:

1. Employment and Economic Development

- The proposal will safeguard existing jobs and create new employment opportunities.
- Support for a long-standing family business with deep roots in the community.
- Recognition of the nursery's role in supporting local suppliers and the wider economy.

2. Community Engagement and Contribution

- Belief that the business contributes to village life and offers stability.

3. Environmental Practices and Efficiency

- Use of rainwater harvesting and sustainable horticultural practices.
- Claims that the expansion will improve operational efficiency without significantly increasing traffic.

4. Business

- Support for a business that has operated in Lowca for over 50 years.
- Viewed as a vital part of the village's industrial heritage and future.
- Belief that objections represent a vocal minority and do not reflect wider community sentiment.

Consultation 2 - Photographic Landscape Analysis and Agent Response to Consultation Responses

A total of 19 representations were received in response to the consultation:

- 18 objections
- 1 representation in support

The material planning issues raised comprise the following:

Objections:

1. Traffic and Highway Safety

- Significant concern regarding increased HGV traffic through Lowca village.
- Highways are described as narrow, degraded, and unsuitable for large vehicles.
- Articulated lorries cause safety risks to children, pedestrians, cyclists, and dog walkers.
- Conflict with safe use of cycleway and bridleway. Inadequate separation and signage.
- Requests for provision of alternative access routes or bypass roads to mitigate impact of HGV traffic on Lowca.
- Damage to adopted roads.
- Damage to unadopted roads (Solway Road and Stamford Hill) with no responsibility taken for repairs.
- The claim that "de-rated" 34-ton trucks will have less impact needs proper independent verification and engineering assessment.
- If a vehicle of any size larger than a car wants to turn right into Lowca off the A595 approaching from the north it is impossible to enter the allocated space without crossing double white lines therefore breaking the law. It is my theory the highways dept carried out a desktop assessment of this junction and not a physical one.
- Concerns regarding the conflict with the children's play area from increased vehicle movements.

2. Noise and Disturbance

- Noise disturbance and vibration from HGVs operating during early morning and late-night hours.
- Continuous noise from ventilation, irrigation, and machinery within glasshouses.
- Construction noise during developments will adversely impact residential amenity.
- Environmental Health's response dated 25th Sept. 2025 states that there are currently no noise complaints on record; however, this misses a crucial point that the existing glasshouse is further from homes. This extension will be a lot closer to residential properties, which changes everything.

3. Light Pollution and Visual Impact

- Internal work lights cause glare and light spill, especially during winter months. This will be increased as the proposed development is nearer to existing dwellings. The light intrusion could constitute a statutory nuisance under the Environmental Protection Act 1990.
- No glint and glare assessment provided despite acknowledged visual impact.
- Visual intrusion from existing and proposed large glass structures, particularly during dark months.
- Tree planting mitigation considered ineffective or absent.
- The applicant's professional landscape assessment admits a 'high magnitude of negative visual effect' for residential properties, yet they dismiss this severe harm as acceptable.

4. Health and Air Quality

- Potential emissions from pesticides, VOCs, fertilisers, and diesel machinery.
- Increased HGV traffic and machinery use could elevate PM and NO₂ levels.
- Concerns over pesticide and chemical emissions from ventilated glasshouses.
- Lack of independent Air Quality Assessment.
- Odours from fertilisers and decaying plant material affect nearby residents.
- Potential health risks, especially for vulnerable residents (e.g., asthma, COPD).
- Requests for COSHH data and historical chemical usage records.

5. Environmental and Ecological Harm

- Submitted Ecological Assessment was completed in December and is flawed.
- Loss of wildlife habitats including owls, deer, badgers, and birds.
- Destruction of hedgerows and natural flora.
- Inadequate ecological assessment conducted out of season.
- The development will impact on drainage and increase flood risk.
- The development will lead to the loss of agricultural land, which contributes to the food chain.
- Glasshouses and the gases they produce contribute to climate change, fact.
- The glasshouses are not closed systems (they have doors, vents etc.) so there is the potential for pesticides, biocides and cleaning agents to be releases into the environment.
- Bisphenols found in plastic which is used in the day to day running of this type of business can be found in greenhouse dust.
- Environmental Research Vol.188 Sept 2020 states “off target drift of chemicals used in greenhouses may reach people living nearby. They went on to say that in their study they found “chemical fumigation is concentrated within the greenhouse and can escape through air circulation openings(vents) in the structure and therefore have the potential to reach homes nearby”.
- Potential for the release of ground gas.
- Potential for the presence of coal mines.
- The conclusions of the Coal Authority are incorrect.

6. Procedural and Governance Issues

- Inconsistencies in employment figures.
- Misrepresentation of industrial activity as agricultural.

7. Impact on Residential Amenity

- Loss of rural character and village identity.
- Health concerns due to emissions and noise.
- No community benefit or compensation offered.

8. Planning Policy Conflicts

- The proposal is alleged to conflict with multiple policies in the Copeland Local Plan (2021–2039), including:
 - DS4, DS5, DS9 – Design, landscaping, and air quality
 - SC1 – Health and wellbeing
 - CO5 – Transport hierarchy
 - N1, N5, N6, N14 – Biodiversity, water protection, landscape, and trees
 - RE1 – Agricultural buildings

- NPPF Paragraphs 116 and 199 – Protection of public health, residential amenity, and landscape

9. Health and Safety

- Concerns over ground gas emissions from historic coal mining activity.

10. Cumulative Impact

- This nursery would cover a total of around 9.5 hectares if it went ahead. That is industrial in scale and entirely out of place in a village like Lowca.
- This application doesn't provide a proper assessment of the combined effects of all existing and proposed glasshouse operations on this site. The Agent treats the proposals as a standalone extension when it's actually a significant escalation of an already intensive commercial operation. The planning authority must assess the total impact of the entire facility, not just this additional extension.
- The development brings no positive outcomes for Lowca, only harm to its residents, environment and heritage.

11. Employment Benefits

- Misrepresenting employment data undermines transparency and evidence-based decision-making under the NPPF

6. Planning Policy

- 6.1 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 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 2001-2016.

Strategic Policy DS1: Settlement Hierarchy
Strategic Policy DS2: Settlement Boundaries
Strategic Policy DS3: Planning Obligations
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
Policy DS9: Protecting Air Quality
Strategic Policy E1: Economic Growth
Policy RE1: Agricultural Buildings
Strategic Policy SC1: Health and Wellbeing
Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity
Strategic Policy N2: Local Nature Recovery Networks
Strategic Policy N3: Biodiversity Net Gain
Policy N5: Protection of Water Resources
Strategic Policy N6: Landscape Protection
Strategic Policy N9: Green Infrastructure
Strategic Policy N10: Green Wedges
Strategic Policy N11: Provision of Open Space in New Development
Strategic Policy N12: Protected Open Spaces
Strategic Policy N13: Local Green Spaces
Policy N14: Woodlands, Trees and Hedgerows
Strategic Policy BE1: Heritage Assets
Policy BE2: Designated Heritage Assets
Policy BE3: Archaeology
Strategic Policy CO2: Priority for improving transport networks within Copeland
Strategic Policy CO3: Priorities for improving transport links to and from Copeland
Strategic Policy CO4: Sustainable Travel
Policy CO5: Transport Hierarchy
Strategic Policy CO6: Countryside Access
Policy CO7: Parking Standards

Key Other 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).

7. Assessment

Principle of Development

- 7.1 Strategic Policy DS1 defines the settlement boundary for the former Copeland Borough Council area.
- 7.2 Strategic Policy DS2 of the LP defines settlement boundaries for all settlements in the hierarchy. It is confirmed that development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise. Support is outlined for agricultural, forestry, farm diversification or tourism proposals which are dependent on such a location in an open countryside location where a proven need for an open countryside location has been demonstrated to the satisfaction of the Council.
- 7.3 Strategic Policy E1 states the economy of Copeland will be strengthened and broadened to provide a diverse range of employment and economic opportunities that will attract new key industries and provide the flexibility to accommodate existing businesses and new initiatives by:... maintaining, enhancing, regenerating and where appropriate extending the employment base in our towns and settlements in accordance with the Development Strategy, and supporting the economies of our rural communities; creating a broader based and resilient economy, that encourages a skilled work force to remain in or relocate to Copeland; and, helping the economy in rural areas by supporting rural enterprises and rural diversification that will encourage, tourism, recreation, rural regeneration, and farm diversification, and complement new appropriate agriculture and forestry development where appropriate.
- 7.4 Policy RE1 outlines support for new agricultural buildings where the following criteria are met: a) A clear need for the building in relation to the functional operations of the agricultural business is demonstrated; b) The building is located within or adjacent to the existing farm complex unless justification for an alternative location is demonstrated; c) The building is of a scale, form and design which is appropriate to the location and will not result in adverse visual impacts or unacceptable harm to the landscape character or heritage assets; d) The building will not adversely impact upon the amenity of nearby residential properties; and, e) The building implements measures to reduce ammonia emissions arising from farming practices where possible.
- 7.5 Paragraph 85 of the NPPF states: *Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.*

- 7.6 Paragraph 88 of the NPPF states: *Planning policies and decisions should enable:... a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings.*
- 7.7 Paragraph 89 of the NPPF states: *Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*
- 7.8 Woodlands Nurseries is located on the eastern edge of the village of Lowca in an area of defined open countryside.
- 7.9 Section 336 of the Town and Country Planning Act 1990 (as amended) (TCPA) defines agriculture as follows:
“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;
- 7.10 Woodland Nurseries comprises a commercial nursery supplying bedding plants on a wholesale basis to retailers nationwide and therefore falls within the definition of agriculture for the purposes of the TCPA.
- 7.11 The development comprises a form of rural employment and economic development.
- 7.12 The Applicant has confirmed that the business on average employed 45 full time employees in 2024. It has been confirmed that this would likely increase to 55 full time employees if the proposed development is approved.
- 7.13 The Applicant has confirmed that expanding the business is essential to meet the growing demand from suppliers who rely on a consistent and high-quality supply of plants. As interest in the business’s horticultural products increases, suppliers are placing larger and more frequent orders, expecting reliable volume and availability throughout the year. Without additional growing space, the business risks falling short of this demand, potentially losing valuable contracts and damaging long-standing relationships. The proposed glasshouse would provide the capacity needed to scale production, ensuring

the business can fulfil larger orders and maintain its reputation for quality and reliability in a competitive market.

- 7.14 As the growth/expansion of an existing rural agricultural complex located on the edge of an existing settlement, the principle of the development finds support under the provision of Strategic Policy DS2, Strategic Policy E1, Policy RE1 and Paragraph 85, 88 and 89 of the NPPF subject to site specific matters/issues.

Landscape and Visual Impact

- 7.15 Strategic Policy N6: Landscape Protection of the LP seeks to protect all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value. It is stated that development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit. Policy RE1 outlines support for new agricultural buildings where the following criteria are met: c) The building is of a scale, form and design which is appropriate to the location and will not result in adverse visual impacts or unacceptable harm to the landscape character or heritage assets.
- 7.16 The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the Application Site as being located within an area of landscape classified as Sub-type Type 5a - Ridge and Valley.
- 7.17 App. ref. 4/20/2022/0F1 to which the current proposal is an extension was supported by a Landscape and Visual Appraisal (LVA), which was prepared in accordance with the Landscape Institute and Institute of Environmental Management Assessment - Guidelines for Landscape and Visual Impact Assessment Edition 3.
- 7.18 The current Full Planning Application is supported by a Photographic Landscape Analysis (PLA). This document is not intended to be a comprehensive Landscape and Visual Assessment but aims to provide a broad assessment of the key landscape and visual issues and demonstrate that these have been carefully considered in the landscape design process.
- 7.19 Given the proposed development comprises an extension of the existing glasshouse approved under app. ref. 4/20/2022/0F1 the assessments and conclusions of the LVA and PLA are both detailed/considered.

Designated Landscapes;

- 7.20 The LVA and PLA conclude that no designated landscapes for example National Parks or Areas of Outstanding Natural Beauty would be affected.

Landscape Character;

- 7.21 The LVA concludes that the Application Site is located in a Type 5a - Ridge and Valley character area and the impacts on its character would be small; the Type 5d, Urban Fringe character area is within sight of the development and the impacts would be negligible with no physical effect on areas; and, no other landscape character types would be affected by the development.
- 7.22 The PLA concludes that landscape character Type 5a - Ridge and Valley is sensitive with a low capacity to accommodate change from development; however, there are currently several components which detract from this character locally to the Application Site including wind turbines, electricity pylons, commercial premises and the A595 road. The increase in landscape effect on the landscape character type due to the proposed development is considered to be low as the existing glasshouses are already visually prominent components in the landscape and the proposed extension will not register as a new landscape component.

Visual Effects/Amenity;

People Living In The Area;

- 7.23 The LVA states that all people who live in the area are regarded as being highly susceptible to changes in their views, which are classified as being of medium value. The changes would be permanent and not reversible.
- 7.24 It is concluded that:
- People at Valley View and Green Acres (close to the east of the site) would experience medium to large magnitude changes in their views;
 - People at Lowca Cottage Farm, Norden Rigg and Middle Gill Farm would experience medium magnitude changes in their views;
 - People living in some houses in Commongate, Low Moresby and Howgate would experience small to medium magnitude changes in their views, mainly from upper windows. Most houses would have no view of the scheme;
 - People living in properties at the eastern margin of Lowca, and on the hillsides to the south of the development area, would experience negligible to small magnitude changes in their views, mainly at the southern end of this eastern side of the village; and,
 - People living in Parton, Common End and Common Side would experience negligible magnitude changes in their views.

People At Work or Leisure In The Area;

- 7.25 The LVA states that all people who are at leisure or at work in the area are regarded as being moderately susceptible to changes in their views, which are classified as being of medium value. The changes would be permanent and not reversible, but in most cases a person's exposure to the view is likely to be of short duration, on each occasion it is seen.

- 7.26 It is concluded that for people who are working in the open countryside only general comments can be made about the magnitude of change in views, which may range from no change to large magnitude of change depending on the person's exact location, the nature of any screening, the nature of their activity, and the length of time they happen to spend in sight of the development.
- 7.27 It is concluded that people on National Cycle Route 72 (including cyclists and walkers) would experience a large magnitude of change in their views in the worst case, when travelling east from Lowca towards the development. Continuing east past the development, or when travelling west, the magnitude of change would be smaller.
- 7.28 It is concluded that people on public footpaths around Middle Gill Farm would experience a small to medium magnitude of change in their views.

People Passing Through The Area;

- 7.29 The LVA states all people who pass through the area are regarded as being slightly susceptible to changes in their views, which are classified as being of medium value. The changes would be permanent and not reversible, but in most cases a person's exposure to the view is likely to be of short duration, on each occasion it is seen.
- 7.30 It is concluded that people travelling south on the A595 are likely to experience negligible changes in their views, due mainly to the screening effect of roadside vegetation and people travelling north on the A595 are likely to experience small changes in their views.
- 7.31 The PLA concludes that the potential visual effect from the proposals is limited to visual receptors within the Lowca Beck Valley by the undulating ridge between Common End and Moresby Parks as views from further eastwards will be screened by the landform. The key visual receptors identified include residents in properties within the Lowca Beck Valley and particularly at the edge of Lowca, users of the PROW network and roads within the valley. From viewpoints where the Application Site will be visible the anticipated increase in visual effect as a result of the proposals is likely to be high for a few properties at the eastern edge of Lowca only and low to moderate for the other receptors assessed. The existing nursery glasshouses are already visually prominent in these views which limits the increase in visual intrusion imposed by the extension.

Mitigation;

- 7.32 The LVA identifies four measures of mitigation to reduce the adverse landscape and visual impacts of the existing development. These comprise:
- Measure 1: Relax the earthwork batters
 - Measure 2: Allow the trees to grow inside the fields along the eastern boundary of Lowca, where the existing hedge is low

- Measure 3: Allow the hedgerow to the south-west of the glasshouses to grow up, in the stretch where it is near the foot of the new earthworks.
 - Measure 4: Plant new trees along the north side of the cycleway, away from the foot of the earthworks and to the west.
- 7.33 The existing glasshouses and poly tunnels at Woodland Nurseries to the south of the public footpaths and National Cycle Route 72 themselves cause harm and the proposed development would be viewed in their context. The proposed mitigating planting will lessen and soften views; however, will not screen the proposed development.
- 7.34 The PLA concludes that the proposed planting will comprise predominantly native species to ensure the local biodiversity is enhanced with evergreen species included to improve winter screening. This has been designed to achieve the required net gain in biodiversity and to improve low-level screening. There are opportunities to introduce native Hawthorn kest hedgerows with native trees to extend existing habitats and restore former field boundaries to provide low level natural screening which will help to integrate the proposed development with its landscape setting. Extension of the hedgerow along the popular walking and cycling route adjacent to the site will be particularly effective to reduce the visual potential effect on these receptors.

Highways

- 7.35 Strategic Policy C02 states that development that is likely to have a detrimental impact on the Highway network will be resisted
- 7.36 Paragraph 115 of the NPPF requires that safe and suitable access to the site can be achieved for all users and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach. Paragraph 116 of the NPPF requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 7.37 App. ref. 4/20/2022/0F1 was supported by a Transport Statement (TS) and was the subject of consultation with the then Cumbria County Council – Highways. The TS confirmed that the site is accessible via sustainable transport means including on foot, cycle and public transport. The TS stated that any additional parking demand resulting from additional employees could be accommodated within the existing Woodlands Nursery.
- 7.38 The TS confirmed that once operational, the proposed development would result in an increase of 1 to 2 HGV movements per day during most of the year, with an increase of 4 to 5 HGV movements per day during the busiest three week spring/summer peak period. It is stated that HGV traffic distribution

is assumed to be to/from the A595 via the unnamed road, East Road, and High Lowca.

- 7.39 The TS stated that the number of additional vehicle movement arising from the operation of the proposed development was small and would have not material impacts on the local road network.
- 7.40 The conclusions of the TS were agreed by the then Cumbria County Council – Highways.
- 7.41 Access from the existing Woodlands Nursery to the development approved under app. ref. 4/20/2022/0F1 crosses the Public Footpath and National Cycle Route 72. Cumbria County Council – Highways initially raised concerns regarding the proposed arrangement; however, following revision of the alignment and demonstration of the required visibility splays at the crossing points raised no objections.
- 7.42 The Applicant has confirmed that the vehicle movements resulting from the proposed extension would be very similar to the existing situation, as the business is currently in the process of upgrading their current fleet of goods vehicles from those that carry 26 trollies to articulated goods vehicles that can carry 43 trollies. It is confirmed that these trucks are de-rated from 44 tonnes to 34 tonnes as the nursery products are a light load and do not require a high gross weight. It is confirmed that all of these vehicles have road friendly suspension.
- 7.43 Cumberland Council Highways have been consulted and have confirmed as an extension of the existing nursery the operational trips and routing will be not materially worse than the existing operational traffic and that the bridleway at the access crossing was upgraded to a suitable construction under application ref. 4/20/2022/0F1.
- 7.44 It is highlighted that the construction phase will involve many HGV movements and this has the risk of causing damage and/or conflict on the highway network if not managed; therefore, it is recommend that a planning condition is imposed securing a Construction Traffic Management Plan.
- 7.45 Solway Road (including the access between East Road and Woodlands Nurseries) is an unadopted road and as such so the LHA would not fund any improvement or repairs required. Any pre-condition survey and remedial works would have to be arranged and agreed with the owners of the highway.
- 7.46 Defined vehicle parking areas are not identified; however, 0.44ha of yard area exists within the existing Woodland Nurseries site. This provides sufficient area for the parking, manoeuvring and loading/unloading of vehicles.
- 7.47 A number of representations have been received in respect of the driving standards of HGV accessing and egressing Woodland's Nursery. It is necessary to note that driving standards are a matter for the Police.

- 7.48 A number of representations have been received in respect of the impact of the development on the un-adopted access between East Road and Woodlands Nurseries. This access is in the ownership of Cumberland Council. It is understood that Cumberland Council is not liable for the maintenance/repair of the access. The condition of the highway being un-adopted is a civil issue for those responsible for the maintenance/repair.
- 7.49 The Public Right of Way (PRoW), National Cycleway 72 and bridleway would be crossed during construction. Cumberland Council Highways and Cumberland Council – Countryside Access Team have confirmed no objection. Suitable controls to prevent/mitigate impacts can be secured via a Construction Traffic Management Plan.

Ecology and Arboriculture

- 7.50 Policy N1 of the LP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.
- 7.51 The Application Site comprises an existing area of agricultural grassland and is not of significant ecological interest.
- 7.52 No protected species are known or anticipated to exist on the Application Site.
- 7.53 A Preliminary Ecological Appraisal has been submitted in support of the Full Planning Application. This was completed on the 23rd December 2024 by a qualified Ecologist, who concludes that no significant survey limitation were encountered. The Appraisal is based on a combination of public data and site assessment/appraisal.
- 7.54 The Appraisal concludes that there will be no direct or indirect impact upon statutory and non-statutory sites and limited potential for impact upon priority and protected species.
- 7.55 The Appraisal details mitigation measures including compensatory planting, control of the timing of works, methods of works, good practice / harm avoidance and habitat enhancement.
- 7.56 It is concluded that subject to the measures outlined, the potential impact on habitats and species is expected to be low.
- 7.57 A planning condition is proposed to ensure that the detailed mitigation measures are implemented.
- 7.58 The Cumberland Council – Ecologist has raised no objections and suggested mitigation and best practice guidance is followed in relation to impacts upon badgers and small mammals, bats, breeding birds and amphibian during the construction period.
- 7.59 The Arboricultural Consultant of the Council confirms that the proposed development does not require the removal of existing trees and recommend

the imposition of a planning condition securing completion of the landscaping scheme by the end of the first planting season following substantial completion of the development.

Biodiversity Net Gain

- 7.60 Policy N3 of the LP 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.
- 7.61 As this Full Planning Application was submitted after the 12th February 2024, the development is the subject of mandatory biodiversity net gain and is required to provide a minimum of ten percent biodiversity net gain over and above existing site levels as required by the Environment Act 2021.
- 7.62 A Biodiversity Net Gain Assessment has been prepared in support of this Full Planning Application.
- 7.63 The Assessment establishes baseline habitat value and details an Illustrative Landscape Plan including one retained area habitat, two enhanced area habitats and two new area habitats and one new linear habitat.
- 7.64 It is proposed that the enhanced habitat area will consist of 0.63Ha of modified grassland to a bank to the North and part of the South and 0.3Hha of modified grassland to the South of the glasshouses; all currently poor modified grassland, being enhanced to neutral grassland in moderate and good condition respectively. A new native hedgerow will be planted on the site boundary.
- 7.65 It is identified that a net gain of 0.66 biodiversity habitat units (+11.57%) and a net gain of 0.02 terrestrial linear biodiversity units (+10.49%) will be achieved.
- 7.66 The Cumberland Council – Ecologist has raised no objections and confirmed that a planning condition is proposed to secure delivery of the required biodiversity net gain of ten percent.
- 7.67 Planning conditions are proposed to secure a detailed scheme of habitat creation and a habitat maintenance and monitoring plan, to ensure that the net gain is delivered at an appropriate time in the delivery of the project and to ensure that the net gain is maintained for the required minimum of 30 years.

Flood Risk and Drainage

- 7.68 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.

- 7.69 Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.
- 7.70 The proposed extension is located in Flood Zone 1 and is not identified as at risk of surface water flooding. The proposals comprise a less vulnerable use, which is acceptable in Flood Zone 1. The access to the existing glasshouse and land proposed for habitat enhancement is identified as risk of surface water flooding.
- 7.71 A Flood Risk Assessment has been submitted in support of the planning application. The Assessment demonstrates that the flood risks present at the Application Site are manageable and that development on the Application Site could be designed in a way that, subject to approvals and appropriate ongoing management, is 'safe' in flood risk terms throughout its lifetime without increasing flood risk elsewhere.
- 7.72 The Sequential Test and Exception Test are not therefore applicable.
- 7.73 It is proposed to dispose of surface water to watercourse via an attenuation basin with designed overland flow routes as per the existing situation. Disposal via infiltration has been discounted due to the ground conditions; therefore, the proposed means of disposal accords with the National Drainage Hierarchy.
- 7.74 It is proposed utilise water from the attenuation basis for the watering of plants within the glasshouse. This would comprise a closed loop system, with any access water collected from the floor of the glasshouse for re-use and no water from within the glasshouse would be discharged into the watercourse.
- 7.75 Cumberland Council – LLFA have been consulted and have raised no objection on the basis that the drainage hierarchy is followed and technical design is acceptable. A planning condition is proposed to secure a Construction Surface Water Management Plan.

Ground Conditions

- 7.76 Policy DS6 and Policy DS10 includes provisions requiring that development addresses land contamination and land stability issues with appropriate remediation measures.
- 7.77 The Application Site falls partly within the defined Development High Risk Area (DHRA) for Coal Mining.
- 7.78 The Coal Authority's information indicates that the access track lies in an area of outcropping coal seams, which may have been worked in the past. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

- 7.79 The proposed glasshouse facility extension lies outside of the DHRA i.e. falls within the Development Low Risk Area; therefore, the Coal Authority have confirmed that a Coal Mining Risk Assessment is not required and raise no objection.
- 7.80 The Application Site sits adjacent to a former mineral railway line and the entrance to the glasshouse was utilised as a sheep wash in the past.
- 7.81 Cumberland Council Environmental Health have confirmed that the Application Site itself shows no former industrial use on historical OS maps though it may be underlain by former coal workings.
- 7.82 Cumberland Council Environmental Health have confirmed that the issue of potential historical contamination was dealt with during the previous planning permission – application ref. 4/20/2022/0F1 when a Preliminary Environmental Risk Assessment was carried out. The risk of contamination was assessed as being negligible or very low.
- 7.83 Since this development will utilise the existing access road, no further work on potential contamination is required; therefore, as a safeguard against encountering shallow coal workings during ground works, Cumberland Council Environmental Health have recommended a planning condition in relation to unexpected contamination.

Residential Amenity and Public Health

- 7.84 Policy DS4 of the LP requires that development maintains high levels of amenity and contribute positively to the health and wellbeing of residents. Policy RE1 outlines support for new agricultural buildings where the following criteria are met: d) The building will not adversely impact upon the amenity of nearby residential properties.
- 7.85 Policy DS9 requires that development proposals will only be granted planning permission where they will not give rise to unacceptable levels of air pollution and that applications for new or extended farming developments must include details of measures to reduce ammonia emissions where appropriate.
- 7.86 The proposed development is located c.125m from the existing dwellings to the west on Solway Road. The proposed development is located c. 65m from the existing dwellings to the north on Vale View. The floor levels of the existing dwellings are located c.10.5m above the floor level of the proposed glasshouse. The north elevation of the glasshouse will be partially below the level of the land to the north due to the cut and fill proposed.
- 7.87 Given the scale, form and layout of the proposed development and relationship to the existing dwellings, adverse impacts upon existing and proposed dwellings will not result through loss of light, overbearing, overshadowing and overbearing effects.

- 7.88 Given the relationship and distances between the existing dwellings and proposed development, direct overlooking will not result. Given the expanse of glazing, some perception of overlooking could exist; however, this is largely mitigated by the distance, proposed planting. Planting or boundary treatments could provide additional mitigation if desired by residents.
- 7.89 The residents of the existing dwelling do not have a right to a view, the exception to this is if the visual impact of a development on a private property is so severe that it may affect the residential amenity i.e. whether a development is 'overwhelming in views in all directions', 'inescapably dominant' or 'unpleasantly encroaching'.
- 7.90 Direct views of the existing glasshouses exist from the existing dwellings to the north and west. These views will be replaced by direct views of the proposed development, which is in closer proximity. The change will comprise a notable physical change in the views; however, in the context of existing views, difference in levels and expansive wider nature of the views available will not be unacceptably adverse.
- 7.91 The existing Woodland Nurseries site is not the subject of working hours limitations. The proposed development comprising an expansion of the existing Woodland Nurseries will result in additional activity and thus additional amenity impacts beyond the existing situation.
- 7.92 The impacts arising from the existing development comprise low levels of noise generation from the planting, packaging and handling operations within the existing glasshouses and vehicular movements, loading/unloading and general activity in the external areas. Dust generation will result from the movement of vehicles over unpaved surfaces.
- 7.93 The Applicant has confirmed that irrigation will be fitted inside the glasshouse which travels silently backwards and forwards along the length of the glasshouse, any other ancillary equipment already exists in the current glasshouse to which the proposed is an extension.
- 7.94 The proposed development will result in extended use/operation of the planting, packaging and handling operations within the existing glasshouse of which the proposed development is an extension.
- 7.95 The Applicant has confirmed that the vehicle movements resulting from the proposed development would be very similar to the existing situation, as the business is currently in the process of upgrading their current fleet of goods vehicles from those that carry 26 trollies to articulated goods vehicles that can carry 43 trollies, which removes the requirement for additional movements. It is confirmed that these trucks are de-rated from 44 tonnes to 34 tonnes as the nursery products are a light load and do not require a high gross weight. It is confirmed that all of these vehicles have road friendly suspension.
- 7.96 The Applicant has confirmed that the staff working times are from 7am to 6pm, and no changes are proposed. In summer when needed during busier times,

some staff may stay back until 8pm when required. The loading of trucks is restricted from 7am to 10pm as per the Applicant's operator's license and it is very rare that any truck even in the busiest times is ever loaded after 8pm. Where the trucks are loaded and unloaded will remain the same as existing, which is not near the proposed development of this application.

- 7.97 The additional staff employed will result in additional car movements.
- 7.98 The Environmental Health Officer has confirmed that the operation of the nurseries is not intrinsically noisy and there are no complaints on record relating to noise at this premises and that there are no complaints on record relating to late working at this premises.
- 7.99 No external artificial illumination is proposed.
- 7.100 The Applicant has confirmed there is no internal growth lighting in any of the existing glasshouses, nor will there be in the proposed. It has been confirmed that there are internal work lights to allow work to continue in the winter months and for use in case of emergencies i.e. climate control failures etc..
- 7.101 Environmental Health have proposed a planning condition to control external lighting and have confirmed that if artificial lighting from within the glasshouses causes severe impact on residential amenity, possible redress is available through the statutory nuisance provisions of the Environmental Protection Act 1990.
- 7.102 Objections have been raised by local residents regarding the impacts of the development upon public health and air quality, with specific regards to potential emissions from pesticides, VOCs, fertilisers, and diesel machinery including elevated PM and NO₂ levels; concerns over pesticide and chemical emissions; the lack of independent air quality assessment; and , odours from fertilisers and decaying plant material.
- 7.103 Specific advice has been sought from Environmental Health in relation to these matters. It has been concluded that an Air Quality Assessment for this development is not considered necessary, given the relatively low levels of air pollutants that affect the Copeland District and that it is not expected that this development will significantly affect local air quality.
- 7.104 Details 2024 Air Quality Annual Status Report (ASR), DEFRA air quality monitoring site data and Ammonia emissions data has been outlined to justify the why the unacceptable impacts will not occur.
- 7.105 The use of pesticides is controlled under separate regulations by the Health and Safety Executive (HSE). The HSE enforce the regulations controlling the marketing, use and impact of pesticides with the aim to ensure that pesticides do not harm human health or have unacceptable effects on the environment.

- 7.106 In the context of the existing operations and its potential impacts, it is considered that the additional impacts resulting from the operation of the development would not be so significant as to be unacceptable.
- 7.107 Planning conditions are proposed to secure a Construction Environmental Management Plan and Construction Traffic Management Plan to control and secure appropriate safeguards to prevent adverse impacts upon residential amenity during the construction period i.e. limitations on hours of construction, mitigation of noise impacts and measures to prevent/control dust emissions etc..

Land Allocated For Residential Development

- 7.108 The land to the west of the Application Site is allocated for residential development under Policy H5 of the LP – reference HL01 – Solway Road.
- 7.109 This land is in the ownership and control of the Applicant, who has confirmed that they no longer intend to develop the land for housing.
- 7.110 Notwithstanding the above, as the land is allocated for residential development, consideration must be given to whether the development proposed would prevent or prejudice the delivery of housing development.
- 7.111 The proposed glasshouse is located adjacent to the boundary with the land allocated for residential development and so will not physically prevent development on the allocated land.
- 7.112 The northern element of the glasshouse will be partially screened by the cut of the land to create the level platform and the southern element will be above the level due to the fill. Landscaping is proposed to the boundary of the land to provide some screening and softening of the development, which could be supplemented by additional planting within the land itself.
- 7.113 Potential exists to incorporate design mitigation within any residential development to prevent adverse impacts upon dwellings through perception of overlooking, loss of light, overbearing, overshadowing and overbearing effects.
- 7.114 The amenity impacts resulting from the operation of the development would be comparable to those of the existing dwellings within the settlement of Lowca.

Other Matters

- 7.115 Objections has been have been received stating that there is misleading information and redacted information on the submitted planning application form.
- 7.116 The planning application form states that the development does not include industrial or commercial processes and machinery. It is alleged that this

statement is misleading. Clarity has been sought from the Applicant regarding the industrial or commercial processes and machinery to be included within the glasshouse, the use of growth lighting and use of chemical pesticides. This information has been the subject of separate public consultation and was considered and accepted by Environmental Health.

- 7.117 It is correct that some personal sensitive information was redacted from the planning application. This is standard practice in accordance with the General Data Protection Regulation.
- 7.118 Allegations have been made that planning conditions attached to another planning permission have been breached by the Applicant. This is not relevant to the determination of this application.

8. Planning Balance and Conclusion

- 8.1 As the growth/expansion of an existing rural agricultural business located on the edge of an existing settlement, the principle of the development finds support under the provision of Strategic Policy DS2, Strategic Policy E1, Policy RE1 and Paragraph 85, 88 and 89 of the NPPF subject to site specific matters/issues. In accordance with the provisions of Paragraph 85 of the NPPF this is required to be given significant weight.
- 8.2 In this respect, the proposed development will support economic growth and productivity in a growing sector of the economy and will assist in diversification of the local economy with the requirement for a further 10no. staff during the peak period of the business.
- 8.3 The development will not result in unacceptable impacts upon landscape character or designated landscapes; however, notwithstanding the proposed mitigation, adverse visual impacts will result from a small number of existing dwellings and both the bridleway, public footpaths and National Cycle Route 72. These impacts are in some conflict with the provisions of Policy RE1 and Strategic Policy N6 of the LP and the NPPF and so weigh against the proposal. This is given moderate weight.
- 8.4 The proposed development comprising an expansion of the existing Woodland Nurseries will result in additional activity and thus additional amenity impacts beyond the existing situation. The impacts arising from the existing development comprise low levels of noise generation from the planting, packaging and handling operations within the existing glasshouses and vehicular movements, loading/unloading and general activity in the external areas. Dust generation will result from the movement of vehicles over unpaved surfaces. It has been concluded that an Air Quality Assessment for this development is not considered necessary, given the relatively low levels of air pollutants that affect the Copeland District and that it is not expected that this development will significantly affect local air quality. Details 2024 Air Quality Annual Status Report (ASR), DEFRA air quality monitoring site data and Ammonia emissions data has been outlined to justify the why the unacceptable impacts will not occur. The development is considered to result

in some harms, but to be in overall conformity with the amenity requirements of Policy DS4 and Policy RE1 and requirements of Policy DS9 of the LP. This is given moderate weight.

- 8.5 The Applicant has confirmed that the vehicle movements resulting from the proposed development would be very similar to the existing situation, as the business is currently in the process of upgrading their current fleet of goods vehicles from those that carry 26 trollies to articulated goods vehicles that can carry 43 trollies which removes the requirement for additional movements. The impacts on the highway networks would not be material and so do not meet the impact threshold to warrant objection on operational and safety grounds. The development is considered to be in overall conformity with the requirements of Policy CO4 of the LP. This is given moderate weight.
- 8.6 The development is acceptable in respect of ecology, flood risk, drainage and ground conditions subject to the imposition of suitably worded planning conditions. Where there has been conflict or partial conflict with policy it has been discussed further within this report. This is given moderate weight.
- 8.7 A biodiversity net gain of ten percent is demonstrated as deliverable in compliance with the requirements of Policy N3 of the LP. This is given moderate weight.
- 8.8 The development will not prevent or prejudice the delivery of the land to the west of the Application Site allocated for residential development under Policy H5 of the LP – reference HL01 – Solway Road. This is given moderate weight.
- 8.9 In overall terms, the merits of the proposed development are finely balanced. There are clear economic benefits resulting from this development; however, these must weighed against the landscape and visual impacts of the development and the impacts upon the amenity of the nearby residential dwellings.
- 8.10 On balance, giving the required significant weight to the economic factors as required by the NPPF, the benefits marginally outweigh the harms in favour of support for the development subject to the planning conditions proposed.

Recommendation

It is recommended that Members grant Full Planning Permission subject to the planning conditions outlined at the end of this report with the Head of Planning and Place being given delegated authority to add to and/or make any amendments to the conditions as considered appropriate.

APPENDIX 1

List of Conditions and Reasons

Standard Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form

Plans Showing Boundary Line – Drawing No. TAY-001-011 Rev. C

Topographical Survey – Drawing No. TAY-001-009 Rev. C

Topographical Survey – Drawing No. TAY-001-009 Rev. B

Proposed Glasshouses 2 of 3 (Sections) – Drawing No. TAY-001-009 Rev. C

Proposed Glasshouses 3 of 3 (Sections) – Drawing No. TAY-001-009 Rev. C

Preliminary Ecological Appraisal Woodlands Nurseries – Report Ref. 9579 Version 1

Biodiversity Net Gain – Woodlands Nurseries, Lowca – Report Ref. 9579 Version 1

Landscape Management Plan – Drawing No. WW/L01A

Woodlands Nurseries Lowca Whitehaven - Plant Schedule – Revision A

Drainage Strategy Report – Blomfield Nurseries Lowca Whitehaven CA28 6PS - Ref. 2025-023 Rev. A

Proposed Drainage Layout – Drawing No. 2025-023-001

Drainage Calculation – Ref. CF Calcs – 17/03/2025

ACO V-Septor – Hydrodynamic Separator Specification Sheet

Flood Risk Assessment – Blomfield Nurseries Lowca Whitehaven CA28 6PS - Ref. 2025-023 Rev. A

Planning Statement – Woodland Nurseries, Stamford Hill, Lowca, Whitehaven
Supporting Letter From SRE Associates dated 8th September 2025

Proposed Nursery Glasshouse Development - Woodlands Nurseries Lowca
Whitehaven - Photographic Landscape Analysis – 7th April 2025

Reason

For the avoidance of doubt and in the interests of proper planning.

Biodiversity Net Gain

3. No development shall commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority.

The Habitat Management and Monitoring Plan shall include the following:

- i. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.
- ii. Planned management activities including details of site-wide aims and objectives.
- iii. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- iv. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- v. Details of monitoring methods and a monitoring reporting schedule.
- vi. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

4. The development hereby approved shall not be brought into use until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by Planning Condition 3 have been completed in accordance with the approved details.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

5. Within 3 months of the completion of the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by Planning Condition 3, a completion report, evidencing the completed habitat creation and habitat enhancements shall be submitted to and approved in writing by the local planning authority.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

6. The habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by Planning Condition 3 shall be managed and maintained in accordance with the provisions of approved Habitat Management and Monitoring Plan secured by Planning Condition 3 for a minimum period of 30 years post completion of the habitat creation and habitat enhancement works.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

7. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by Planning Condition 3 is delivering on its site-wide aims and objectives and habitat condition targets

Monitoring reports shall be submitted to the Council during years 2, 5, 7, 10, 20 and 25 posts completion of the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by Planning Condition 3 unless otherwise stated in the Habitat Management and Monitoring Plan secured by Planning Condition 3.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

Landscaping

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following substantial completion of the development. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

Reason

To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy DS5 and Strategic Policy N6 of the Copeland Local Plan 2021-2039.

Ground Conditions

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy DS8 of the Copeland Local Plan 2021-2039.

Construction Management

10. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include details of:

- Construction hours;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding;
- Measures to control the emission of dust and dirt during construction;
- Measures to avoid and minimise the risk of a pollution event;
- A scheme for recycling/disposing of waste resulting from construction works;
- A procedure to mitigate noise and vibration from the construction as well as taking into account noise from vehicles, deliveries.
- Measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution.
- A written procedure for dealing with complaints regarding the construction.

The development hereby approved shall be carried out in accordance with the approved CEMP.

Reason

To protect amenity and to protect the environment from pollution in accordance with the provisions of Policy DS9 of the Copeland Local Plan 2021-2039.

11. Development shall not commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority.

The CTMP shall include details of:

- 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.

The development hereby approved shall be carried out in accordance with the approved CTMP.

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 the provisions of Policy CO4 of the Copeland Local Plan 2021-2039.

12. No development shall commence until a Construction Surface Water Management Plan (CSWMP) has been submitted to and approved in writing with the local planning authority.

The development hereby approved shall be carried out in accordance with the approved CSWMP.

Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems in accordance with the provisions of Policy DS6 and Policy N5 of the Copeland Local Plan 2021-2039.

Ecology

13. The development shall implement all of the recommendations and mitigation measures contained Preliminary Ecological Appraisal Woodlands Nurseries – Report Ref. 9579 Version 1.

Reason

To protect the ecological interests of the site and surrounding area in accordance with Policy N1 of the Copeland Local Plan 2021-2039.

Drainage

14. The drainage scheme hereby approved shall be managed and maintained in accordance with the provisions of Drainage Strategy Report – Blomfield Nurseries Lowca Whitehaven CA28 6PS - Ref. 2025-023 Rev. A for the lifetime of the development.

Reason

To ensure surface water is managed in a sustainable way in accordance with the provisions of Policy DS7 of the Copeland Local Plan 2021-2039.

External Lighting

15. Prior to their installation, the details and method of operation (including times of operation) of all external lighting fixtures (to land and buildings) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be completed and the lights operated in accordance with the approved details.

Reason

In the interest of visual amenity and to safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan 2021 – 2039.

Informatives

Mining Risk

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of

coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one? – <https://www.gov.uk/government/publications/permit-process/permit-process>

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidancenotes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>.

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.

The template for the preparation of a Biodiversity Gain Plan can be accessed via this link: <https://www.gov.uk/government/publications/biodiversity-gain-plan>

Public Rights of Way

The applicant must be advised that:

- The granting of planning permission does not give them the right to obstruct, close or divert the public right of way.
- The public rights of way must be kept open and unaltered for public use until any order made to divert, stop up or to temporarily close it has been confirmed

SP Electricity North West Limited Assets

SP Electricity North West Ltd (SP ENWL) infrastructure is located on or adjacent to land associated with the Application Site.

The applicant should be advised that great care should be taken at all times to protect electrical apparatus and any personnel working in its vicinity. Anyone working in proximity to any of our apparatus (whether above or underground) should be referred to two relevant documents produced by the Health and Safety Executive (available from The Stationery Office Publications Centre and The Stationery Office Bookshops), and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services

GS6 – Avoidance of danger from overhead electric lines

It is advisable that the developer and/or their contractors make contact with SP ENWL as soon as reasonably practicable to discuss the location of our assets and their proposals, to ensure there is no unnecessary delay to any works they wish to carry out.