



## CUMBERLAND COUNCIL

### DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2360/0F1
2.	<b>Proposed Development:</b>	PRIOR APPROVAL APPLICATION FOR CONVERSION OF BARNS INTO DWELLINGS – BARN 1 ONE 3 BEDROOM DETACHED DWELLING; BARNS 2 & 3 TO BE DEMOLISHED TO CREATE COURTYARD PARKING; BARN 4 TWO BEDROOM DETACHED BUNGALOW; BARN 5 TWO SEMI DETACHED TWO BEDROOM DWELLINGS
3.	<b>Location:</b>	MOWBRAY FARM, FRIZINGTON ROAD, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, PROWs - Public Right of Way
6.	<b>Publicity Representations &amp;Policy</b>	See report.
7.	<b>Report:</b>  <b>Site and Surroundings</b>  The Application Site comprises land and buildings at Mowbray Farm, Frizington.  The Application Site comprises a small group of buildings and a dwelling with attached barn located in open countryside.  An existing part made track provides access to a sealed surface access serving the Application Site and Frizington House Waste Recycling Centre, which connect to the public highway – (Frizington Road – A5086).  Barn One – Steel frame shed with blockwork walls at low level and steel cladding above with a steel-clad roof.	

Barn Two – Single storey facing brick under a metal clad roof.

Barn Three – Single storey facing brick under a metal clad roof.

Barn Four – Single storey Blockwork under a metal clad roof.

Barn Five – Steel frame shed with steel cladding and steel-clad roof.

### **The Proposed Development**

This is a notification for prior approval for the change of use of the buildings to dwellinghouses (Use Classification C3) and for the associated operational development under the provisions of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Architectural drawings have been prepared which detail the proposed operational development required to enable the change of use. The proposed development is summarised below:

- Barn One –Convert to provide 1no. dwelling.
- Barn Two – Demolish to create parking area.
- Barn Three – Demolish to create parking area.
- Barn Four – Convert to 1no. dwelling.
- Barn Five – Convert to create 2no. semi-detached dwellings.

If is proposed to finish the dwellings externally with a combination of green metal cladding, grey metal cladding and render to the elevations and grey metal cladding and green metal cladding to the roof structures.

A range of internal works are detailed.

Defined curtilage areas including parking spaces are proposed.

Access is proposed via the existing part made track. Extension of the existing track with the addition of parking bays has been approved under application ref. 4/25/2162/0F1.

A Visual Structural Inspection has been prepared by WDS Ltd in support of the planning application.

It is proposed to dispose of foul water to a package treatment plant.

### **Directly Relevant Planning Application History**



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Application Ref. 4/25/2162/0F1 – Conversion of barn to dwelling – Approved.

### **Consultation Responses**

#### Parish Council

No consultation response received.

#### Cumberland Council – Highways and LLFA

No objection in principle but the following point needs addressed before a final response can be issued:

#### Countryside Access

Public Right of Way FP 401005 passes through the development site and along the western edge of Barn 1. The colour key for the Proposed Site Plan currently shows the Public Footpath which passes along the western edge of Barn 1 within “Private on plot paved areas”. We would require the applicant to submit a revised layout plan showing this section of the Public Right of Way coloured as a “Public paved areas”.

Given the proximity of the proposed development to the FP 401005 the applicant must contact the Countryside Access Team [Countryside.Access@cumberland.gov.uk](mailto:Countryside.Access@cumberland.gov.uk) to discuss the need for a temporary closure or diversion of the Public Right of Way for the duration of any works.

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.
- 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 – Environmental Health

This general area has a history of both surface and underground mineral extraction, together with associated infrastructure and rail sidings, but the site itself was not directly used in this regard and remained distinct as a farm.

The site is marked on Council mapping, however, as being within the potential impact zone of a former landfill site.

After the closure of the nearby Yeathouse Quarry, Cumbria County Council records indicate that it was partially infilled with inert waste in the 1990s. Inert waste is not inherently

chemically or biologically reactive and it is deemed that consequentially there would be a low risk of leachate or ground gas contamination to this proposed development.

Farms are not classed as brownfield land, though their use can give rise to contamination 'hotspots' from agricultural activities that entailed pesticides, herbicides, rodenticides, fuel oil spills etc.

The indicative Radon Map UK shows the site to be within a 1 km grid square of elevated radon potential, with a maximum radon potential of 10 – 30%. Full radon protection measures would therefore be required in the build unless a site-specific radon test were to show otherwise. A condition for unexpected contamination would suffice as a cover-all. It is recommended that dwelling ground floors are maintained / laid as concrete slabs (with radon protection) and any soft landscaping is provided with a minimum of 300mm clean top soil cover.

The site is relatively remote from other residential dwellings and there would be minimal impact on residential amenity during the construction phase. The imposition of construction working hours to mirror the condition of the neighbouring planning approval 4/25/2162/0F1 (Barn 6 conversion) is suggested.

The drainage strategy is acceptable in principle though further details are required, and a condition on this is suggested below.

As an enlarged residential development overlooking the SSSI Yeathouse Quarry and Lake District National Park, a condition to limit any artificial external lighting scheme at the development is also suggested.

As such, therefore, Environmental Health would not object to this proposed development and offers the following conditions:

- Drainage Prior to the commencement of works details for the separate foul and surface water drainage systems shall be submitted to and approved in writing by the Local Planning Authority. The 2 approved scheme shall be fully implemented prior to the occupation of any dwelling houses hereby approved.

Reason: To ensure a satisfactory standard of surface water and foul drainage.

- Land affected by contamination – Reporting of unexpected contamination 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 immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared and be submitted and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority. Reason: To ensure that risks from land contamination to the future users



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of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

- Noise from Construction Works

Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours. Monday to Saturday 07.30 – 18.00 and at no time on Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

#### Natural England

No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

#### Cumberland Council – Ecology

The county ecologist gives the following comments regarding protected species.

##### Breeding Birds

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

##### Bats

A bats-specific lighting scheme will be designed during construction and operation to minimise light impact on the bats using the site for commuting and foraging purposes. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023). This must be submitted to and approved by the council in writing. The Preliminary Bat Roost Appraisal was undertaken by ArbTech in April 2025. If works do not commence within 18months of this survey, then it must be repeated.

##### Enhancements

Three bat boxes are to be installed at the site to provide additional roosting habitats for bats. These should be integrated within the fabric of the new buildings. An example of such a bat box is the Beaumaris Woodstone Bat Box, or similar alternative brand. Two bird boxes are to be installed and integrated within the buildings structures to provide additional nesting habitat such as:

- Schwegler No. 17 swift nest box,

- Schwegler 1SP sparrow terrace, or
- Woodstone nest box

#### Neighbour Representations

The application has been advertised by way of a site notice.

No representations have been received.

#### **Assessment**

In respect of the provisions of Q and Q.1 of Class Q:

##### **Q(a) and Q.1 (a) and (b)**

The Applicant proclaims that the Application Site currently comprises part of an agricultural unit. A plan is provided showing the extent of the landholding that make up the agricultural unit.

The existing dwelling has undergone refurbishment.

Sales particulars for the property dated July 2022 publicly available online shows the buildings storing agricultural machinery and an egg delivery van and references the sale of the dwelling and buildings with 38 acres of land. The removal of Barn Five is referenced and the building is shown with part of the cladding removed.

On balance it is considered that the site meets the requirements of Q(a) and Q.1 (a) and (b) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

##### **Q.1 (c) and (d)**

4no. dwellinghouses are proposed.

The floor space of the dwellinghouses does not exceed 150 square metres.

The Applicant has confirmed that no other development under Class Q has been completed within the original limits of the established agricultural unit.

A plan is provided showing the extent of the landholdings that make up the agricultural unit. There are no other known planning applications for development under Class Q on the identified landholding.



The requirements of Q.1 (d) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) are met.

**Q.1 (e) and (f)**

The Applicant confirms that the site is not the subject of an agricultural tenancy.

The Applicant has confirmed that the site has not been the subject of a termination of an agricultural tenancy within one year of the date of this application.

Given the registered sale of the property in May 2023, there is no reason to doubt these statements.

**Q.1 (g)**

The planning register confirms that no development under Class A(a) or Class B(a) of Part 6 of the GPDO 2015 or GPDO 1995 (as amended) has been completed on the farmstead in the preceding 10 year period.

A plan is provided showing the extent of the landholdings that make up the agricultural unit. There are no other known planning applications for development under Class A(a) or Class B(a) of Part 6 of the GPDO 2015 or GPDO 1995 (as amended) on the identified landholding.

The requirements of Q.1 (g) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) are met.

**Q.1 (h)**

Based upon the information submitted, the external dimensions of the building do not extend beyond the external dimensions of the existing building at any given point by more than 0.2 metres.

The development is not in conflict with the requirements of Q.1 (h) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

**Q.1 (i)**

No extensions are proposed.

**Q.1 (j)**

The rights permit building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission.

The Planning Practice Guidance is clear that it is not the intention of the permitted development rights to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.

The case in [Hibbitt and another v Secretary of State for Communities and Local Government \(1\) and Rushcliffe Borough Council \(2\) \[2016\] EWHC 2853 \(Admin\)](#) provides guidance in relation to the threshold of what constitutes conversion.

A Visual Structural Inspection has been prepared by WDS Ltd in support of the planning application.

The Visual Structural Inspection report states:

*Barn 1 and 5 are structurally adequate in their current form and it is proposed to convert the buildings sympathetically to the existing structures. We propose a new masonry and timber framed structure is built internally around the frame to allow the frame to be retained whilst relieving loading off the steel frame and thus not compromising the existing barn structure. The steel frame will need cleaned down and painted with a rust inhibiting paint.*

*Barn 4 needs the rear wall underpinned and the cracking to the rear gable masonry wall tied. Depending on the foundation extent it may be more cost effective to rebuild the rear wall off a new foundation. The roof structure will need replaced as part of any conversion scheme. With the works noted completed the building will be suitable to be retained as part of a conversion scheme.*

Based upon the Visual Structural Inspection and submitted plan/details, it is clear that the buildings can accommodate conversion with the addition of internal frames to accommodate insulation etc. and minor repair works to one wall. The existing fabric of the buildings is to be retained and enhanced.

The building operations proposed can be considered reasonably necessary to convert the building to a use falling within Class C3 (dwellinghouses) as permitted by Q.(c) and Q.1(j) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2021 (as amended).

#### **Q.1 (k)**

The site is not located on Article 2(3) land.

#### **Q.1 (l)**



The site does not form part of a site of special scientific interest; a safety hazard area; or, a military explosives storage area.

**Q.1 (m)**

The site is not and does not contain a scheduled monument.

**Q.1 (n)**

The building is not listed.

**Q.1 (o)**

The proposed dwellings excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), are capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply.

**Q.1 (p)**

The LHA has been consulted and have confirmed no objections in relation to the suitability of the existing access to serve the development proposed.

The requirements of Q.1 (p) of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) are met.

4.5 In respect of the provisions of Q.2-(1):

*(a) transport and highways impacts –*

The LHA has been consulted and have confirmed no objections in relation to the suitability of the existing access to serve the development proposed.

The proposed would result in a small increase in the use of the existing access to the public highway only.

Sufficient off highway parking is proposed to serve the development.

The junction with the public highway benefits from reasonable visibility and no highway capacity or access issues are known to exist.

Public Right of Way ref. FP 401005 passes through the site. The development will not restrict or impede the use of the Public Right of Way.

*(b) noise impacts –*

There are other no other agricultural buildings located within close proximity to the site.

No issues have been raised by Environmental Health.

In the context of the above, the proposed would not be exposed to excessive noise and would provide acceptable living conditions for future residential occupiers.

*(c) contamination risks –*

The Applicant confirms that no works have taken place that would result in contamination.

Environmental Health have been consulted and have confirmed the following:

*This general area has a history of both surface and underground mineral extraction, together with associated infrastructure and rail sidings, but the site itself was not directly used in this regard and remained distinct as a farm.*

*The site is marked on Council mapping, however, as being within the potential impact zone of a former landfill site.*

*After the closure of the nearby Yeathouse Quarry, Cumbria County Council records indicate that it was partially infilled with inert waste in the 1990s. Inert waste is not inherently chemically or biologically reactive and it is deemed that consequentially there would be a low risk of leachate or ground gas contamination to this proposed development.*

*Farms are not classed as brownfield land, though their use can give rise to contamination ‘hotspots’ from agricultural activities that entailed pesticides, herbicides, rodenticides, fuel oil spills etc.*

*The indicative Radon Map UK shows the site to be within a 1 km grid square of elevated radon potential, with a maximum radon potential of 10 – 30%. Full radon protection measures would therefore be required in the build unless a site-specific radon test were to show otherwise.*

*A condition for unexpected contamination would suffice as a cover-all.*

*It is recommended that dwelling ground floors are maintained / laid as concrete slabs (with radon protection) and any soft landscaping is provided with a minimum of 300mm clean top soil cover.*

The construction of the buildings does not appear to contain materials hazardous to human health.



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It is considered that the risk to construction workers; future occupants; and, the wider environment are low.

A planning condition is proposed to control impacts in relation to unexpected contamination if identified during the course of any construction.

*(d) flood risk –*

The building is located within Flood Map for Planning Flood Zone 1.

No surface water drainage issues are known to exist at the site.

No alterations are detailed in respect of the existing surface water drainage arrangements.

No additional surface water flows will result from the proposed development; therefore, additional flood risk will not result.

The LLFA and Environmental Health have raised no objections to the proposed drainage strategy.

A planning condition is proposed to secure a detailed drainage scheme.

*(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order*

Paragraph 108 of the Planning Practice Guidance states: “*The permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change the use to residential*”.

Paragraph 109 states: “*Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would “not be sensible or realistic”, and undesirable reflects that it would be “harmful or objectionable”*”.

*When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.*

*There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.*

*When a local authority considers location and siting in this context it will not therefore be appropriate to apply tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval. So, for example, factors such as whether the property is for a rural worker, or whether the design is of exceptional quality or innovative, are unlikely to be relevant.”*

The site is located in an isolated location in an area of open countryside.

The site is located just beyond the existing settlement of Frizington and is located adjacent to the Frizington Recycling Centre. The buildings comprise part of an existing group of buildings including a dwelling.

Frizington includes a small number of services and employment opportunities and is accessible on foot or by cycle using the existing access to the Frizington Recycling Centre and public footways.

Utilities exist on or near the site given the presence of an existing dwelling.

In the context of the above, it is considered unreasonable to conclude that the location is otherwise impractical or undesirable.

*(f) the design or external appearance of the building*

In relation to design, it is considered that the proposed interventions suitably relate to the simple forms of the existing buildings, the site and its context.

*(g) the provision of adequate natural light in all habitable rooms of the dwellinghouses,*

Adequate natural light is available to all habitable rooms.

*Other Matters*

The submitted Ecology Survey demonstrates the development will not result in impacts upon priority and protected species subject to the mitigation measures proposed. A planning condition is proposed to ensure that the development is completed in accordance with the provisions submitted Ecological Survey.



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	<p>Natural England have confirmed no objections and considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p> <p>The curtilage areas proposed to serve the dwellings meet the limitations of Part X. Therefore the requirements of Q.(a) of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) are met.</p> <p><b>Conclusion</b></p> <p>It is considered that the proposals accord with the requirements of Schedule 2, Part 3, Class Q of the GPDO.</p>
8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p>1. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Application Form Location Plan/Land Ownership - Drawing No. 6088 12 Proposed Site Plan - Drawing No. 6088 10 Rev. A Plans and Elevations - Barn 1 - Drawing No. 6088 1 Rev. A Plans and Elevations - Barn 2 &amp; 3 - Drawing No. 6088 2 Plans and Elevations - Barn 4 - Drawing No. 6088 3 Rev. A Plans and Elevations - Barn 5 – Drawing No. 6088 5 Rev. A Drainage Strategy - Change of Use of an Agricultural Building to a Dwelling Design Access Statement Mowbray Farm - Barn 1-5 Conversion of Redundant Barns to Dwellings Preliminary Roost Assessment – Mowbray Farm, Frizington Road, Frizington, Cumberland. CA26 3QU. 4<sup>th</sup> April 2025 VISUAL STRUCTURAL INSPECTION OF THE BARNS ADJACENT TO MOWBRAY FARM FRIZINGTON CUMBRIA FOR RC CIVILS - Reference - WDS/05/9202/REP01</p> <p><b>Reason</b></p> <p>For the avoidance of doubt and in the interest of proper planning.</p>

### *Drainage*

2. Notwithstanding the submitted details, no development shall commence until details of a sustainable surface water drainage scheme and a foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

### Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding.

### *Materials*

3. Notwithstanding the submitted details, no works to the exterior of the building shall be commenced until samples and details of the materials to be used in the construction of the external surfaces of the development including the the windows and doors have been submitted to and approved in writing by the Local Planning Authority.

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

### Reason



To ensure the development is of a high quality design.

*Ecology*

4. The development shall be completed in accordance with the provisions of Preliminary Roost Assessment – Mowbray Farm, Frizington Road, Frizington, Cumberland. CA26 3QU. 4<sup>th</sup> April 2025.

Reason

In the interests of preventing harm to ecology.

*Parking*

5. The dwellings hereby approved shall not be occupied until the approved parking layout space to serve the dwellings have been constructed and made available for use.

The parking spaces shall be used solely for the benefit of the occupants and visitors of the development hereby approved and for no other purpose and shall be retained for the lifetime of the development.

Reason

To ensure adequate provision of vehicle parking.

*External Lighting*

6. The dwellings hereby approved shall not be occupied until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the location, design, luminance levels, and light spillage of all external lighting within the site.

The approved lighting scheme shall be implemented in full prior to first occupation of the dwellings hereby approved.

No additional external lighting shall be installed without the express permission of the Local Planning Authority.

Reason

To safeguard and enhance the character of the area and secure high quality design, prevent amenity harm and prevent ecological impacts.

*Construction Management*

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

Reason

In the interests of neighbouring residential amenity.

*Contamination*

8. 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.

**Informative Notes**

**Timescale for Completion of Development**

Condition Q.2 (4) of Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) requires that the development hereby



approved must be completed within a period of 3 years starting with the prior approval date i.e. the date of this decision.

### ***Countryside Access***

Given the proximity of the proposed development to the FP 401005 the applicant must contact the Countryside Access Team [Countryside.Access@cumberland.gov.uk](mailto:Countryside.Access@cumberland.gov.uk) to discuss the need for a temporary closure or diversion of the Public Right of Way for the duration of any works.

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.
- 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.

### ***Development Low Risk Area – Standing Advice – Mining Remediation Authority***

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://Mining Remediation Authority - GOV.UK)

<b>Case Officer:</b> C. Harrison	<b>Date :</b> 15.12.2025
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 16.12.2025
<b>Dedicated responses to:-</b> N/A	