

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2399/0F1
2.	<b>Proposed Development:</b>	PROPOSED SINGLE STOREY DETACHED LADIES CHANGING ROOMS
3.	<b>Location:</b>	CLEATOR CRICKET CLUB, CHURCH STREET, CLEATOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	<p>ASC Adverts - ASC;Adverts,</p> <p>Flood Area - Flood Zone 2, Flood Area - Flood Zone 3,</p> <p>Coal - Standing Advice - Data Subject To Change,</p> <p>Outer Consultation Zone - Sellafield 10KM,</p> <p>PROWs - Public Right of Way,</p> <p>Main River Consultation Area - Main River Consultation Area</p>
6.	<b>Publicity Representations &amp;Policy</b>	<p>Neighbour Notification Letter: NO</p> <p>Site Notice: YES</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<b>Report:</b> <b>SITE AND LOCATION</b> <p>The application site is located off Church Street in Cleator and relates to the Cleator Cricket Club. The site currently comprises a cricket club building, which is located to the south of the ground, with the playing field to the north.</p>	

The site is accessed via Church Street. Car parking associated with the cricket club is positioned to the south of the proposed site and existing club house.

## **PROPOSAL**

Planning permission is sought for the erection of a single storey detached building to provide changing rooms for the club. The building will contain two changing rooms, with showers and WCs. It will be 10.4m x 6.5m.

The building has been designed with a pitched roof and high-level windows on each side. Externally the building will be clad with cedar wood.

## **RELEVANT PLANNING APPLICATION HISTORY**

There are no previous applications on the site.

## **CONSULTATION RESPONSES**

### Cleator Moor Town Council

No response received.

### Highways and Local Lead Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

### Environmental Health

Based on the information provided, there are no objections to this proposed development from Environmental Health.

The site is remote enough from residential dwellings that amenity should not be unduly affected during any construction works or its subsequent use, though the planners may wish to impose a condition regarding construction working hours nonetheless.

The developer should ensure that the existing septic tank is of sufficient capacity and good working condition to deal with increased discharge of foul effluent from the two structures that would be present on the site, and that the septic tank complies with the General Binding Rules, see – General binding rules: small sewage discharge to the ground - GOV.UK

### Natural England

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Ecology Officer

Suggested Planning Conditions

Breeding Birds

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

Small Mammals

All development work should be carried out with care to avoid small mammals such as hedgehogs. Contractors should be briefed about the potential presence of hedgehogs and Works should be supervised during initial clearance of the Site to avoid injury to any disturbed individuals.

Bats

Construction should occur during daylight hours. Where this is not possible, a bats-specific lighting scheme will be designed during construction to minimise light impact upon the adjacent River Keekle and its terrestrial habitat. Operation lighting must also minimise impact to the river. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Herptiles

As a precautionary approach, the following measures must be followed:

- Initial surface stripping works are to be overseen by an Ecological Clerk of Works.
- All work must take place during daylight hours as amphibians are more likely to be commuting overnight and this will ensure the risk to any amphibians commuting through the site will be minimised.
- During the development, measures should be put in place to discourage amphibians from using the development area, the creation of any piles of earth, materials and rubble which could form potential artificial hibernacula and refuge should be avoided at all times. Any spoil or rubble will be removed immediately to skips, or on hard standing or short grass. This will ensure that no potential amphibian hibernation or resting sites are created.
- The storage of all loose materials must be palletised or similar so they are off the ground whenever possible.

- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered. This will ensure amphibians are not trapped during work. This will also aid small mammals.
- All excavations left open overnight or longer are be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.

#### Biodiversity Net Gain

No development hereby permitted shall commence until:

- a) a Biodiversity Gain Plan has been submitted to the planning authority demonstrating a 10% net gain,
- b) the planning authority has approved the plan in writing,
- c) the onsite habitat provision is accompanied by a Habitat Management and Monitoring Plan in place for 30 years as the gains here constitute 'Significant On-site Gains', this monitoring plan is to be accepted by the council and,
- d) Monitoring results are to be programmed to be submitted to the council. These should include evidence demonstrating how BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be carried out in accordance with the approved plans.

#### Environment Agency

##### Environment Agency position

We have no objection to the proposed development but we wish to make the following comments:-

##### Flood risk

The application is supported by a very basic flood risk assessment. The FRA acknowledges the Flood Zone 3 designation and the general flood risks and safe access and egress. The facility is a changing facility extension to the existing Cricket Club

With reference to the development proposals was be classified Under the NPPF as 'Water Compatible' being 'Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms.' The proposal is therefore acceptable in Flood Zone 3, and we are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning

approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

As a result of the FRA, the applicant, as owners of the existing property, will be aware of the potential flood risk and frequency. The applicant should be satisfied that the impact of any flooding will not adversely affect their proposals.

Environmental permit - advice to applicant

The River Keekle is a designated statutory main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

#### Sport England

Sport England raises no objection to the application because it is considered to accord Exception E2 of our Playing Fields Policy and paragraph 104 of the NPPF. The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

#### Public Representations

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

No responses have been received in relation to this advertisement.

### **PLANNING POLICIES**

Planning law requires 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 Local Plan as commenced by Copeland Borough Council.

The Local Plan 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.

The following policies are relevant to this proposal:

Policy DS4: Design and Development Standards

Policy DS6: Reducing Flood Risk

Policy DS8: Soils, Contamination and Land Stability

Strategic Policy SC1: Health and Wellbeing

Policy SC2: Sport and Leisure facilities (excluding playing pitches)

Policy SC4: Impact of new development on sporting facilities (including playing fields and pitches)

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity Strategic

Policy N2: Local Nature Recovery Networks Strategic

Policy N3: Biodiversity Net Gain

Policy CO7: Parking Standards

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

## Cumbria Development Design Guide

### **ASSESSMENT**

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts upon adjacent residential amenity, existing sports facilities and highways safety.

#### Principle of Development

The proposed application relates to an existing sports facility close to Cleator. The development would add an additional facility of changing rooms to the existing clubhouse at the site.

Policy DS1 identifies the site as outside the defined settlement boundary for Cleator.

Policy DS2 allows for development exceptions outside the settlement boundary.

Policy SC2 of the Copeland Local Plan supports proposals for new sports and leisure facilities subject to detailed criteria, which are considered below. In principle, Policy SC2 allows for new sports provisions within brownfield sites and existing facilities. The proposal fulfils this criterion and it constitutes an addition to an existing provision.

The principle of the development is therefore accepted within the context of Policies DS1, DS2 and SC2 of the Copeland Local Plan.

#### Scale and Design

Policy SC2 of the Copeland Local Plan indicates that sports and leisure development must be of a scale that is appropriate to its surroundings. Strategic Policy SC1 and Policy DS4 of the Copeland Local Plan supports development which improves health and wellbeing and delivers high quality, safe development.

The proposal would result in a single storey addition to the east of the existing building at the site. The proposal has a relatively small footprint and includes a pitched roof. The form of the roof, external finishes and architectural features of the proposal will replicate those of the existing building.

The proposal therefore complies with Strategic Policy SC1 and Policies SC2 and DS4 of the Copeland Local Plan in this regard.

#### Impact on Sporting Facilities

Policy SC4 of the Copeland Local Plan sets out that new development must not prejudice the use of existing sports facilities, including pitches, within the vicinity of the development site.

The proposed extension would be situated to the eastern gable of the existing clubhouse. The development would not result in the loss of any of the existing cricket pitch, nor would it prejudice the use of the sports facility.

The applicants agent has confirmed that the proposal would help to meet the English Cricket Board guidance, support the growth of both men's and women's cricket locally and strengthen the clubs ability to host fixtures and community programmes.

Sports England have confirmed that they are supportive of the proposal.

The proposal therefore complies with Policy SC4 of the Copeland Local Plan in this regard.

#### Residential Amenity

Policy DS4 of the Copeland Local Plan states that all new development should maintain high levels of amenity.

The proposed building will be situated approx. 77m to the east of the boundary with the access road and 130m from the closest property to the south. Given the limited scale of the proposed development and separation distance of the application area from adjacent residential properties, the proposal would maintain suitable standards of amenity.

The Council's Environmental Health Officer noted the proximity of the development site to residential dwellings and considered that the potential for noise disturbance during construction works is low.

The proposal therefore complies with Policy DS4 of the Copeland Local Plan in relation to maintaining amenity standards.

#### Highway Safety

Policy CO7 of the Copeland Local Plan requires that all new development provide adequate parking provision.

The proposals will not have an effect on the existing parking area associated with the cricket club leaving adequate parking provision available to users of the club.

The Highways team have confirmed that the proposal is unlikely to create a material effect on the existing highways network.

The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard.

#### Flood Risk

Policy DS6 of the LP 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.

The site lies within Flood Zone 3. The development is classified under the NPPF as 'Water Compatible' being 'Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms.' The proposal is therefore acceptable in Flood Zone 3.



	<p>The Environment Agency has confirmed that they are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. A planning condition is proposed to ensure that the proposed development proceeds in accordance with this FRA and the mitigation measures identified.</p> <p><u>Biodiversity Net Gain</u></p> <p>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 above. 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.</p> <p>In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development.</p> <p>The application site currently comprises amenity grassland which is in poor condition. The baseline habitat is 0.016 units.</p> <p>The proposal is to enrich an existing area of the site to create species rich grassland and native shrub planting which will achieve a total of 0.064 units. Overall, this would provide a 300% net gain uplift.</p> <p>The Council's Ecologist has requested a condition to ensure that the BNG requirements are met.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed detached building is of an appropriate scale and design for the site and locality, which would preserve the amenities of the area, enhance the existing sports facilities and would not have any impact on highway safety.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies set out in the adopted Local Plan.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol>

Reason

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

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Application Form, received 24th November 2025;

Proposed Site and Location Plan, scale 1:500, drawing number ccc/4, received 24th November 2025;

Proposed Elevations, scale 1:50, drawing number ccc/5, received 24th November 2025;

Proposed Plan, scale 1:50, drawing number ccc/6, received 24th November 2025;

BNG, Flood Risk and Drainage Strategy, received 24th November 2025;

Biodiversity Net Gain Assessment, received 24th November 2025;

Design and Access Statement, received 24th November 2025.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The proposed development must proceed in strict accordance with the Flood Risk Assessment, received 24<sup>th</sup> November 2025 and the mitigation measures identified within it. Any proposed changes to the approved Flood Risk Assessment and/or the mitigation measures identified will require the submission of a revised Flood Risk Assessment to the Local Authority for subsequent approval.

Reason

In order to ensure that the proposed development does not increase the risk of flooding onsite or elsewhere, in accordance with Policies DS6 of the Copeland Local Plan.2021-2039.

4. Prior to the commencement of development/the development shall not 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 the National Planning Policy Framework and The Environment Act 2021.

5. The development hereby approved shall not be occupied until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 4 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 the National Planning Policy Framework and The Environment Act 2021.

6. 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 4, 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 the National Planning Policy Framework and The Environment Act 2021.

7. The habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 4 shall be managed and maintained in accordance with the provisions of approved Habitat Management and Monitoring Plan secured by planning condition 4 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 the National Planning Policy Framework and The Environment Act 2021.

8. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by planning condition 4 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 4 unless otherwise stated in the Habitat Management and Monitoring Plan secured by planning condition 4.

Reason:

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

## **Informative Notes**

### **Coal Mining Legacy**

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

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

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

### **Environmental Permit**

The River Keekle is a designated statutory main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

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- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
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or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

### **Breeding Birds**

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

### **Small Mammals**

All development work should be carried out with care to avoid small mammals such as hedgehogs. Contractors should be briefed about the potential presence of hedgehogs and Works should be supervised during initial clearance of the Site to avoid injury to any disturbed individuals.

### **Bats**

Construction should occur during daylight hours. Where this is not possible, a bats-specific lighting scheme will be designed during construction to minimise light impact upon the adjacent River Keekle and its terrestrial habitat. Operation lighting must also minimise impact to the river. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

### **Herptiles**

As a precautionary approach, the following measures must be followed:

- Initial surface stripping works are to be overseen by an Ecological Clerk of Works.
- All work must take place during daylight hours as amphibians are more likely to be commuting overnight and this will ensure the risk to any amphibians commuting through the site will be minimised.
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- The storage of all loose materials must be palletised or similar so they are off the ground whenever possible.
- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered. This will ensure amphibians are not trapped during work. This will also aid small mammals.
- All excavations left open overnight or longer are to be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.

### **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>

### **Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

**Case Officer: Sarah Papaleo**

**Date : 19/01/2026**

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

**Date : 23/01/2026**

**Dedicated responses to:- N/A**