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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

EDS Design Cumbria Ltd
Sowerby House
Townhead
Dearham
CA15 7JW
FAO: Mr Daniel Sowerby

APPLICATION No: 4/26/2008/0F1

**PROPOSED DETACHED SELF BUILD DWELLING (BUNGALOW)
LAND AT BECKSIDE FARM, DISTINGTON**

Mr Paul Clarke

The above application dated 13/01/2026 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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 13th January 2026;

Existing site and proposed block plan, scales 1:1250 and 1:500, drawing number LBF-CC-001, received 13th January 2026;
Proposed floor and elevation plans, scale 1:50, drawing number LBF-CC-002, received 13th January 2026;
Proposed and existing site drainage plan, scales 1:500 and 1:200, drawing number LBF-CC-003, received 13th January 2026;
Design and Access Statement, drawing number DAS-001 Rev A, received 13th January 2026.

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.

Prior to First Use Conditions

3. The access drive must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is brought into use. This surfacing must extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety and in accordance with Policies CO4 and CO5 of the Copeland Local Plan.

4. Prior to the first use of the development, any existing fence/wall or hedge on the highway boundary (not including the layby) must be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway and must not be raised to a height exceeding 1.05m thereafter.

Reason

In the interests of highway safety and in accordance with Policies CO4 and CO5 of the Copeland Local Plan.

5. Prior to the first use of the dwelling hereby approved, a 2.0 metre x 2.0 metre pedestrian visibility sight splay as measured from the footpath boundary must be provided on both sides of the vehicular access. There must be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason

To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access and in accordance with Policies CO4 and CO5 of the Copeland Local Plan.

Other Conditions

6. At least two months prior to the first occupation of the dwelling hereby approved, details of the person or persons who are to be the first occupants of the dwelling and confirmation that the dwelling is to comprise their sole or main residence shall be submitted to and approved in writing by the local planning authority.

Reason

To ensure the development complies with the self-build and custom house building definition and help meet the districts self-build requirement, in accordance with National Policy.

7. The dwelling hereby approved must be constructed as a self-build and custom housebuilding dwelling within the definitions of self-build and custom housebuilding as contained in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

The first occupation of the dwelling hereby permitted must be as the sole or main residence of a person or persons who had primary input into the design and layout of the dwelling.

Reason

To ensure the development complies with the self-build and custom house building definition and help meet the districts self-build requirement, in accordance with National Policy.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity and in accordance with Policy DS4 of the Copeland Local Plan.

9. Access gates, if provided, must be hung to open inwards only away from the highway.

Reason

In the interests of highway safety and in accordance with Policies CO4 and CO5 of the Copeland Local Plan.

10. The existing hedgerow located on the southern boundary of the site must be retained at all times.

Reason

In order to ensure that the development is well screened and in accordance with Policy DS4 of the Copeland Local Plan.

Informative Notes

Biodiversity Net Gain – Exemption Applies

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 not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemption – The development comprises a self-build dwelling.

Coal Authority Standing Advice

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

Distington Beck is a designated statutory main river.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption 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 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk. 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.

Runoff Rates

It is proposed that surface water is to be disposed of via an existing watercourse. In the first instance disposal by means of infiltration should be considered, but if this is not feasible, then disposal to the watercourse would be an acceptable alternative.

Distington Beck, is a "Main River" lies to the north of the proposed development site with the Environment Agency being the enforcing authority. Should infiltration not be feasible, then discharge to Distington Beck should be limited to greenfield run off rates for a 1 in 100 year storm, plus a 40% climate change allowance, plus a 10% allowance for urban creep, with a suitably constructed outfall. This should also conform to any requirements imposed by the Environment Agency.

Electricity North West

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 SP ENWL offer a fully supported mapping service, providing up to date information about the location and status of our apparatus.

Further information can be found at


<https://www.enwl.co.uk/adviceand-support/line-search-before-you-dig>, alternatively you can call us on 0800 195 4141.

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.

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.

Please read the accompanying notice



Nick Hayhurst
Head of Planning and Place
Thriving Places

20th March 2026

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.