

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2024/0F1
2.	Proposed Development:	DEMOLITION OF THE EXISTING FARMHOUSE AND ASSOCIATED AGRICULTURAL BUILDINGS AND ERECTION OF REPLACEMENT FARMHOUSE (SELF/ CUSTOM BUILD), DETACHED CAR-PORT BUILDING, STABLE BUILDING, IMPLEMENT SHED AND WORKSHOP PLUS FORMATION OF NEW FLOOD LIT OUTDOOR HORSE ARENA
3.	Location:	NOOK FARM, CLEATOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Standing Advice - Data Subject To Change, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential Area for Great Crested Newts, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location: The Application Site comprises the property known as Nook Farm, Cleator. The property extends to 0.98ha which includes the former farm grouping, farmhouse curtilage and grazing land.	

The principal buildings on the Site include:

- existing vacant farmhouse.
- a range of non-traditional, dilapidated agricultural buildings with a floor area of 2,978m.
- a redundant stone barn which is connected to the modern agricultural buildings.

The agricultural buildings are in varying degrees of disrepair.

Elements of the agricultural buildings have recently been demolished.

Some agricultural buildings are currently in use for the storage of agricultural machinery.

The Site is located in Flood Zone 1. Areas to the East and West outside of the Site are located in Flood Zone 2/3. The Environment Agency's 2070s Upper End climate change scenario (2061–2125) does not identify an area of the Site as being within Flood Zone 2/3.

A small area within the centre of the Site is identified as being at risk from surface water flooding. The Environment Agency's 2070s Upper End climate change scenario (2061–2125) identifies a larger area of the Site around the existing agricultural buildings as being at risk from surface water flooding.

The Site is located c.550m from the River Ehen SAC/SSSI, c. 800 from the Clints Quarry SSSI, c.1700m from the Florence Mine SSSI, c.1800m from the Black Moss SSSI, c.2300m from the Haile Great Wood SSSI and c.5000m from the Lake District High Fells SAC, River Calder Section SSSI and Yeathouse Quarry SSSI.

A Public Right of Way runs through the Site.

Directly Relevant Planning History:

None.

Proposal:

This application seeks Full Planning Permission for the demolition of the existing dwelling and the modern agricultural buildings and the erection of a detached replacement dwelling with detached ancillary building and the creation of a private domestic equestrian facility comprising a horse arena, stable building, workshop and implement shed.

Access is proposed via the existing private lane.

It is proposed to discharge foul water to a package treatment plant and surface water to watercourse.

During the course of the determination of the planning application, the proposed external



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lighting scheme has been withdrawn, and additional ecological survey effort has been completed.

Consultee:	Nature of Response:
Town Council	No comments.
Cumberland Council – Highways and LLFA	No objections to the proposal; however, recommend that the following conditions are imposed: Condition 1: The development shall not commence until visibility splays providing clear visibility of 215 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded. Any existing highway fence/wall/hedgerow boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) (before the development is brought into use) and shall not be raised to a height exceeding 1.05m thereafter. Reason: In the interests of highway safety. Condition 2: Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule. Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere.

		Condition 3: PROW (public footpath/bridleway/byway) number 403016 lies adjacent to/runs through the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works. Reason: To support Local Transport Plan Policy W1, W2
	Countryside Access Team	The application fails to recognise Public Right of Way FP 403016 which follows the line of the track from Briscoe Road through Nook Farm. The applicant should contact the Countryside Access Team to discuss the need for a Temporary Closure Order on FP 403016. The applicant must be advised that: • The granting of planning permission would not give them the right to block or obstruct 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, extinguish or to temporarily close it has been confirmed. • No development should take place on or near the Public Right of Way until the appropriate statutory legal process has been successfully completed.
	United Utilities	Standard advice in relation to application of the drainage hierarchy, safeguarding of United Utilities assets/infrastructure and the achievement of water efficiency in new development.
	Environment Agency	No comments.
	Arb. Consultant	The health of the retained trees growing around the property could be affected by the proposed development if not adequately protected. The applicant has submitted an Arboricultural Impact Assessment and Tree Protection Method Statement by Cumbria Tree Surveys Arboricultural Consultancy, dated December 2025. This provides details of 111 trees growing on, or adjacent to, the site. The proposed development will require the felling of 20 category U trees. In addition, at Section 9.3, the Arboricultural Impact Assessment Tree Protection Method Statement recommends 'In order to reduce the potential damage to the crown structure of the retained trees during demolition and construction related activities. The general recommendation is to undertake a crown raise to achieve a clearance of 5 metres. For those tree specimens on the boundary the crown raise need only be undertaken over the construction zone. This is recommended in order to

		retain the screening effect of the crown on the opposing aspect of the tree specimen.' Section 9.24 of the Arboricultural Impact Assessment Tree Protection Method Statement recommends: 'To ensure compliance with this arboricultural method statement and for the benefit of the retained tree stock. It is recommended that an Arboricultural Watching Brief be commissioned to monitor and review activities within the root protection areas to ensure root disturbance is kept to an absolute minimum.' RECOMMENDATIONS We recommend attaching the following condition to any planning permission on this site: • The approved Arboricultural Impact Assessment Tree Protection Method Statement, dated December 2025, must be implemented in full in its agreed form prior to any demolition or development work on the site. Any variation to the tree protection method statement will require written approval from the Local Planning Authority.
	Environmental Health	<i>Response 1</i> In terms of its remit, Environmental Health have considered the following matters: Contaminated Land The site is not marked on Council mapping as potentially contaminated in relation to Part II Environmental Protection Act 1990. There are, however, numerous former iron ore pits in close proximity around Longlands Lake and Rowfoot ponds. Environmental Health do not hold data on the extent of the iron ore workings. As a former farm, the site is not deemed to be brownfield land but may have been subject to localised pollution sources like fuel oil spills, pesticides and herbicides etc. A standard condition for unexpected contamination would suffice as a cover all in this regard. Radon 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%. As such, full radon protection measures would be required in the build unless a site-specific radon test showed otherwise. Demolition Method Statement This is acceptable and may be conditioned as an approved document.

		Construction Environmental Management Plan (CEMP) This is acceptable and may be conditioned as an approved document. Planners may wish to condition the working hours of demolition / construction separately. Foul Drainage The application confirms that the present septic tank is defective and a replacement package treatment plant (PTP) is proposed. There are no further details on the PTP and where it will discharge to. The applicants should confirm these details and a condition on this is suggested below. They should also check with the Environment Agency as to whether the PTP may need an environmental permit to discharge. External Artificial Light The site is shown on the CPRE map of 'England's Light Pollution and Dark Skies' as being at the darker end of the artificial light emission spectrum – England's Light Pollution and Dark Skies Ordinarily, we would request a condition for artificial external light provision that followed the ILP GN01 / 21 guidance as a Zone E2 rural low district brightness lighting environment. The provision of the illuminated outdoor equestrian arena is, however, at odds with this. We accept the proposed lighting design for the arena as being suitable for its intended use but question whether it would be incongruous to this rural location, and whether it may harm local ecology and stand out against a normal dark/er environment for other residential dwellings that overlook the site. Alternatively, the applicants could consider if the arena could be used without artificial illumination or if the arena could be fully enclosed so that light pollution is avoided. A condition on this is suggested below. At present, therefore, whilst Environmental Health have no issues with most of this application, we would object on the basis that the proposed illuminated outdoor arena would harm the local dark sky environment, landscape character, biodiversity and amenity. The following conditions are suggested: • 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
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		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 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. • External Artificial Lighting (general) Artificial external lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for environmental zone E2 contained within The Institute of Light Engineers Guidance Note GN01/21 (dated 2021) for The Reduction of Obtrusive Light. Reason: In order to safeguard the amenities of nearby residential occupiers and the area generally. • External Artificial Lighting (outdoor equestrian arena) Prior to the installation of external artificial lighting to the outdoor equestrian arena, a lighting assessment and plan, carried out by a suitably qualified lighting engineer, shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall include the following detail: i) baseline conditions (lighting lux levels) of the site and its immediate environs; ii) the need for the lighting including confirmation if it is for personal or commercial use and intended hours of use; iii) the colour temperature of the lighting; iv) a light spill (lux) diagram of the arena; v) predicted mock up pictures of the arena fully lit and how it will appear to receptors around the site. Reason: To ensure the protection of local dark skies, landscape character, biodiversity and amenity of surrounding occupiers. • Foul Drainage Prior to the commencement of works details for the separate foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the occupation of any dwelling house hereby approved. Reason: To ensure a satisfactory standard of foul drainage. • Noise from Construction Works 3 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 Friday 08.30 – 18.00 and 08.00 – 13.00 on Saturday 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.
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		<i>Response 2</i> Environmental Health have no objections to the proposed amendments and also note that the external artificial lighting for the outdoor horse arena has been removed from the application. On that basis, therefore, Environmental Health are happy to drop its previous objection regarding that particular matter. We would wish that our comments dated 25.02.26 are otherwise still considered to apply however (including the general condition for external artificial lighting).
	Conservation Officer	The farmhouse and traditional barns appear to have been significantly altered throughout their lives, particularly in the post-war period. The proposed removal of the house entails the loss of a small amount of heritage value. This should be taken into consideration. The retention of the stone barn is welcomed. This is the most significant part of this cluster, and it will provide anchoring for the development to this site's history. Additionally, the more recent phases of the farm, though agricultural, are unattractive and their removal could be seen as having benefit as a design outcome, even though it would entail removal of buildings with agricultural character from an agricultural landscape. The proposed replacement dwelling and supporting buildings appear of good quality. The implement shed, stable building, stone barn and workshop are all quite close together at their closest points. It is presumed that these gaps are intended only for pedestrians with hand tools or a barrow, a horse etc. but wonder whether restricting the ability to get vehicles between them more easily (e.g. a Land Rover, cherry picker, small tractor etc.) might prove inconvenient.
	Ecologist	<i>Construction Environmental Management Plan (CEMP)</i> A CEMP produced as part of the application submission should be updated to detail the procedures for protecting protected species and their groups with the measures detailed below: <i>Breeding Birds</i>



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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 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.

- All work must take place during daylight hours as badgers are more likely to be commuting over the site at night and this will ensure the risk to any badgers passing through the site will be minimised.
- 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 badgers are not trapped during work.
- All excavations left open overnight or longer should 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.
- Stored materials should be raised (i.e. stored on pallets) in order to ensure that wildlife such as hedgehogs do not shelter in the piles.
- In the unlikely event that any signs of any activity from otter or red squirrel is subsequently found, all site works must cease and further ecological advice should be sought with a view to a detailed method statement and programme of mitigation measures being prepared and implemented.

Amphibians and Reptiles

As there is potential for GCN to be present on site it is deemed that this would be in the vegetation areas. Therefore, as a precautionary approach, the following measures must be followed:

- 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. • Between October and March, any piles of wood or suitable materials should be checked for hibernating hedgehogs before disturbance. Any hedgehogs found should ideally be left alone. If this is not possible, the hedgehog should be carefully and safely relocated to suitable habitat away from the development site. • 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. • 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. Bats Trees M (AIA ref.: T062, Cat. U) and I (AIA ref.: T036, Cat U) should be retained due to them being considered to have potential to support roosting bats. If they are to be felled, then they must be inspected by a Suitably Qualified Ecologist who holds a Level 2 bats licence with Natural England. A bats-specific lighting scheme will be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023). The demolition of the farmhouse is to be undertaken within 18months of the bat survey (September 2025). If this is not possible then surveys will need to be repeated. Enhancements Two bat boxes are to be incorporated within the development such as: • The Habibat Bat Box; • Green&Blue Bat Box. Two barn owl boxes should be erected in trees around the site. Habitat Management and Monitoring Plan
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		No development hereby permitted shall commence until: a) A Habitat Management and Monitoring Plan (HMMP) in place for 10 years is submitted to and accepted by the council. b) 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. <i>BNG Informative</i> The effect of paragraph 13 of 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 on 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 break of planning control. Support the use of standard landscaping condition to secure delivery and retention of landscaping for a period of 10 years to secure required habitat enhancement.
	Neighbour Responses:	
	The application has been advertised by way of a planning application site notice and neighbour notification letters. No representations have been received.	

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

Policy RE2: Equestrian Related Development

Strategic Policy H1: Improving the Housing Offer

Policy H18: Replacement Dwellings outside Settlement Boundaries

Policy H11: Community-led, Self-build and Custom Build housing

Strategic Policy SC1: Health and Wellbeing

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Policy N5: Protection of Water Resources

Strategic Policy N6: Landscape Protection

Strategic Policy N9: Green Infrastructure

Policy N14: Woodlands, Trees and Hedgerows



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Strategic Policy BE1: Heritage Assets
Policy BE3: Archaeology
Policy BE4: Non-Designated Heritage Assets
Strategic Policy CO2: Priority for improving transport networks within Copeland
Strategic Policy CO4: Sustainable Travel
Policy CO5: Transport Hierarchy
Policy CO7: Parking Standards

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).
Self-build and Custom Housebuilding Act 2015 (SCHA)
Self-build and Custom Housebuilding (Register) Regulations 2016 (SCHR)

Assessment:

Principle

Policy H18 of the LP states that the erection of a replacement dwelling outside of identified settlement boundaries will be permitted where: a) the replacement dwelling is to be sited on, or directly adjacent to the footprint of the existing dwelling to be replaced, unless there are clear and demonstrable reasons why an alternative siting or footprint will deliver a more appropriate scheme; and; b) the replacement dwelling (including any curtilage development) should be no larger in scale, size or massing than the existing dwelling to be replaced and its design must be appropriate to the location, will enhance its immediate setting and will not result in unacceptable impacts on landscape character or unacceptable visual harm; and c) appropriate access and adequate vehicle parking can be achieved. It is confirmed that where necessary, appropriate planning conditions will be imposed to require the demolition of the existing dwelling and to remove permitted development rights to control the impacts of any replacement dwelling and curtilage development.

The supporting text to Policy H18 of the LP states:

13.19.1 Whilst the NPPF sets out a presumption against isolated homes in the open countryside, replacement dwellings are an exception and can provide a useful source of rural housing, allowing residents to stay within their communities and making efficient use of land. Inappropriate design can however have a negative impact upon the character of the area, particularly when the scale of the new dwelling is not proportionate to the size of the plot.

13.19.2 It is important that the scale and size of the new building matches the building that it replaces as uncontrolled extensions can also result in the loss of smaller

housing within the rural areas and can therefore make it more difficult for first time buyers, or those needing smaller homes, to move into such locations.

The proposed replacement dwelling is located on/adjacent to the footprint of the existing dwelling to be replaced.

The existing dwelling is a 4 bedroom dwelling. The proposed replacement dwelling is a 3 bedroom dwelling; however, the overall scale, size and massing of the of the replacement dwelling is larger than the existing and includes a large curtilage building.

Notwithstanding the above, weight must be given to extensions to the existing dwelling that are possible under Schedule 2, Part 1, Class A of the GPDO 2015 (as amended) and to the benefits that will result from the very large range of modern portal framed agricultural buildings that are to be removed.

Whilst the replacement dwelling is in conflict with the requirements of Policy H18, in the context of the above, the development is not in conflict with its objectives i.e. the existing dwelling is a large home and is being replace by a large home, so is not removing an affordable home from the local market. Whilst large, the design, scale and massing of the replacement dwelling is not inappropriate to the plot and character of the area. The existing large range of modern portal framed agricultural buildings have a harmful visual impact and landscape character impacts in both short and long range views from both public and private vantage points despite the existing vegetation which does provide some screening/filtering of views. The removal of the existing buildings and replacement with the much smaller buildings/facilities will deliver clear visual and landscape enhancement in both long range and short range views. The improvement from the adjacent PRoW will be significant.

Policy RE2 of the LP supports the development of facilities related to the keeping of horses on a non-commercial basis where: the proposal reuses an existing building; or, it is well related to existing buildings and structures; and, they satisfactorily relate to existing vehicular access and bridleways. It is stated that where this is not practical or appropriate, buildings in open countryside locations will only be permitted where they are demonstrably necessary for and designed for welfare reasons. It is required that all development must be of a scale, form and design appropriate to the location and will not result in adverse visual impacts or unacceptable harm to landscape character or heritage assets. It is also required that permeable surfacing should be used where possible to reduce surface water run-off. It is confirmed that where necessary, appropriate planning conditions will be imposed to restrict external storage and the installation of associated equipment to help protect the landscape and natural environment.

The proposed equestrian development is for private domestic use and is well related to existing buildings and structures. The Applicant owns a number of surrounding fields and access exists to a range of rural roads.

The proposed horse arena, stable building, workshop and implement shed are significantly



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smaller than the modern portal framed agricultural buildings on the Site and have a considerably lesser impact.

Self and Custom Build

Policy H11 of the LP states self and custom build housing will be supported where the development accords with the Development Plan and makes a positive contribution to the street-scene. A design code will be required for all developments over five units.

The Self-build and Custom Housebuilding Act 2015 and the Self-build and Custom Housebuilding (Register) Regulations 2016 place a duty on relevant local planning authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes. It is required that local planning authorities have regard to each self-build and custom housebuilding register that relates to their area when carrying out their planning, housing, land disposal and regeneration functions.

Housing and Planning Act 2016 places a duty on a relevant local planning authority to grant permissions for enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area arising in each defined base period. It is confirmed that the demand for self-build and custom housebuilding arising in an authority's area in a base period is the demand as evidenced by the number of entries added during that period to the Self-build Register of the relevant local planning authority.

It is accepted that the Copeland Self-Build Register does not fully capture the demand levels, with anecdotal evidence existing that numerous parties not on the register have developed self-build homes within Copeland.

The Copeland Housing Strategy sets an aspiration to promote custom and self-build to build on current demand, recognising the flexibility it offers people in terms of layout and accessibility.

The self-build nature of the development weighs slightly in favour of the development.

Design and Landscape

The proposed dwelling is traditional in design/form incorporating a contemporary element to the rear and a contemporary outbuilding.

The horse arena, stable building, workshop and implement shed are utilitarian structures that are simple in form. The buildings incorporate selective use of timber cladding and stone.

The buildings are appropriate to the rural setting/context and have a considerably.

The existing large range of modern portal framed agricultural buildings have a harmful visual

impact and landscape character impacts in both short and long range views from both public and private vantage points despite the existing vegetation which does provide some screening/filtering of views.

The removal of the existing buildings and replacement with the much smaller buildings/facilities will deliver clear visual and landscape enhancement in both long range and short range views. The improvement from the adjacent PRow will be significant.

Heritage

The farmhouse and traditional barns appear to have been significantly altered throughout their lives, particularly in the post-war period; however, they retain some non-designed heritage value.

The proposed removal of the house entails the loss of a small amount of heritage value.

The stone barn is the most significant part of the farmstead, and it will provide anchoring for the development to this site's history.

The more recent phases of the farm, though agricultural, are unattractive and their removal could be seen as having benefit as a design outcome, even though it would entail removal of buildings with agricultural character from an agricultural landscape.

Flood Risk and Drainage

It is proposed to discharge foul water to a package treatment plant and surface water to watercourse. Based upon the evidence provided such arrangements would accord with the national drainage hierarchy. A planning condition is proposed to secure the submission, approval, delivery and maintenance of a detailed drainage scheme/design and is reasonable given the existing development and associated drainage arrangement of which the proposed will be an improvement.

The Site is located in Flood Zone 1. Areas to the East and West outside of the Site are located in Flood Zone 2/3. The Environment Agency's 2070s Upper End climate change scenario (2061–2125) does not identify an area of the Site as being within Flood Zone 2/3.

The proposed comprises a more vulnerable use and is therefore a compatible use in Flood Zone 1.

Small area within the centre of the Site is identified as being at risk from surface water flooding. The Environment Agency's 2070s Upper End climate change scenario (2061–2125) identifies a larger area of the Site around the existing agricultural buildings as being at risk from surface water flooding.

All built development, access arrangements and other vulnerable elements of the

development are accommodated on the land within Flood Zone 1. Part of the proposed stable building is located in an area identified as being at risk from surface water flooding and part of the proposed arena is located in area identified as being at risk from surface water flooding in the Environment Agency's 2070s Upper End climate change scenario (2061–2125). Any positive surface water drainage scheme proposed will control the surface water drainage in these areas mitigating the risk without increasing flood risk elsewhere.

Cumberland Council Lead Local Flood Authority have been consulted and confirm no objection subject to the imposition of a planning condition to secure the submission, approval, delivery and maintenance of a detailed drainage scheme/design.

Environmental Health support the imposition of a planning condition to secure a detailed foul water drainage scheme.

Ecology

A Preliminary Ecological Appraisal (September 2025), Bat and Barn Owl Survey (September 2025) and subsequent Barn Owl Additional Information Survey (June 2026) have been submitted in support of the application.

The PEA identified that the site contains a range of habitats including hedgerows, trees and grassland which are to be largely retained, and concluded that the development would not result in significant impacts on designated sites or habitats.

The Bat Survey confirmed that the farmhouse, workshops and modern agricultural buildings do not support bat roosts, with no evidence of current or historic bat occupation recorded. Whilst the stone barn was initially identified as requiring further investigation due to access and safety constraints, the additional survey work undertaken in June 2026 found no evidence of recent bat activity and no evidence of breeding or regular roosting barn owls. Only limited historic signs of occasional barn owl use were recorded in the form of isolated old pellets and minor staining. The Survey concludes that the buildings subject to demolition are not supporting an active barn owl breeding or roosting site and that the retained stone building offers only limited potential for occasional use. Subject to adherence to the recommendations contained within the ecological reports, including the provision of barn owl mitigation boxes and standard safeguards in respect of nesting birds and protected species during construction, the proposed development is not considered likely to result in unacceptable ecological impacts.

The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that the development proposed on the Site is unlikely to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and the Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

A planning condition is proposed to secure the mitigation measures proposed within the ecology surveys.

The Ecologist has confirmed that the submitted Construction Environmental Management Plan should be updated to detail the procedures for protecting protected species and their groups. A planning condition is proposed to secure.

Amenity

Given the scale, form and location of the Application Site in relation to the existing dwellings, the proposed development will not result in adverse impacts upon the living conditions of the occupants through overlooking, loss of light, overshadowing or overbearing.

Biodiversity Net Gain

A Biodiversity Net Gain Statement & Assessment has been submitted. This demonstrates that the development results in a 28.60% (>10%) net increase in habitat units and satisfies trading rules onsite based on landscaping plans drawing number '25/04/1073 – 04 c.

A detailed landscaping scheme has not been submitted.

The Cumberland Council – Ecologist has raised no objections and proposed that a planning condition be imposed to secure delivery of the required biodiversity net gain of ten percent.

The proposed on site habitat enhancement is non-significant, comprising a total net habitat unit change of +0.03. As such, it is not necessary to legally secure for a minimum period of 30 years.

Notwithstanding the above, a landscaping condition is proposed to secure delivery and retention of landscaping, including the planting to deliver the habitat enhancement for a minimum period of 10 years.

Highways

Access is proposed via the existing private lane. A Public Right of Way runs through the Site.

The proposed development will not result in an intensification of the use of the existing access and private lane. It is arguable that the development will reduce the intensity of use.

Whilst the LHA has suggested the imposition of a planning condition requiring the achievement of visibility splays of 215m x 2.4m; however, given the resulting reduction in use, it is considered that this cannot be justified.

The proposed development includes a level of off highway parking that exceeds the CDDG requirements.

PRoW

The proposed development will not impact/impinge on the operation of the PRow and will deliver a considerable enhancement of its setting.

Impact on the PRow is controlled via separate legislation. The planning condition proposed by the LHA to prevent impingement on the PRow does not meet the tests for planning conditions. An informative is proposed to confirm the requirements under the Highways Act 1980.

Ground Conditions

The site is not marked on Council mapping as potentially contaminated in relation to Part II Environmental Protection Act 1990. There are, however, numerous former iron ore pits in close proximity around Longlands Lake and Rowfoot ponds. Environmental Health do not hold data on the extent of the iron ore workings. As a former farm, the site is not deemed to be brownfield land but may have been subject to localised pollution sources like fuel oil spills, pesticides and herbicides etc.

A planning condition to control unexpected contamination is proposed.

Radon protection is controlled by the Building Regulations.

Construction Management

A Construction Environmental Management Plan has been submitted. Environmental Health have confirmed that this is acceptable and have proposed a planning condition to control construction hours.

Arboriculture

An Arboricultural Impact Assessment and Tree Protection Method Statement.

The Arboricultural Consultant has raised no objections to the Assessment and Statement and a planning condition is proposed to secure its implementation for the duration of the construction works.

The Planning Balance

The proposal comprises the replacement of an existing dwelling located outside of an identified settlement boundary together with associated domestic equestrian facilities. Whilst the replacement dwelling broadly accords with the objectives of Policy H18, the proposed dwelling is larger in scale, size and massing than the dwelling it replaces and therefore results in a degree of conflict with criterion b) of the policy.

The conflict with criterion b) is limited. The existing dwelling is a substantial four-bedroom

	rural dwelling and is proposed to be replaced with a three-bedroom dwelling of a scale and design that is appropriate to the site and its setting. The proposal would not result in the loss of a smaller or more affordable dwelling from the rural housing stock, which is one of the principal concerns underpinning Policy H18. The proposal will result in the loss of the existing farmhouse which, although significantly altered, retains a modest level of non-designated heritage value. This heritage harm attracts limited negative weight in the planning balance. Significant weight is attached to the removal of the large-scale, modern agricultural buildings which are in a poor state of repair, partially demolished and visually prominent within the landscape. Their demolition would deliver a substantial enhancement to the appearance of the site, the character of the surrounding land and the setting of the retained traditional stone barn. The retention of the stone barn, identified as the most significant historic component of the farmstead, will preserve an important link to the site's agricultural history and provide a degree of continuity and historical anchoring within the redevelopment. The proposed replacement buildings are of an appropriate design and are significantly smaller in scale and visual impact than the existing agricultural building. Additional benefits arise from the provision of a self-build dwelling, which attracts modest positive weight having regard to Policy H11, the Self-build and Custom Housebuilding Act 2015 and the Council's objectives of supporting self-build opportunities. Further positive weight is afforded to the biodiversity enhancements proposed, including the delivery of measurable biodiversity net gain in excess of the statutory minimum requirement, ecological mitigation measures and habitat creation. The proposal would not result in unacceptable impacts in respect of highway safety, residential amenity, flood risk, drainage, ecology, trees, heritage assets or public rights of way, subject to the recommended planning conditions. When considered as a whole, the limited conflict with Policy H18 is outweighed by the substantial environmental benefits arising from the removal of the extensive modern agricultural buildings, the enhancement of the site's appearance and landscape character, the retention and improved setting of the traditional stone barn, the biodiversity gains and the provision of a self-build dwelling. The proposal is therefore considered to accord with the Development Plan when read as a whole and planning permission should be granted subject to conditions.
8.	Recommendation: Approve (commence within 3 years)



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9. **Conditions:**

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

Location Plan – Drawing No. 25/04/1073-01

Existing Site Plan – Drawing No. 25/04/1073-03

Existing Floor Plans – Farmhouse – Drawing No. 25/04/1073-Ex

Proposed Site Plan – Drawing No. 25/04/1073-04c)

Car Port – Floor Plans & Elevations – Drawing No. 25/04/1073-06

Dwelling Floor Plans – Drawing No. 25/04/1073-05b)

Stable Building – Drawing No. 25/04/1073-07

Implement Shed – Drawing No. 25/04/1073-08

Workshop Building – Drawing No. 25/04/1073-09

Cross Section of Arena Base Construction

Nook Farm, Cleator - Ref: 25/04/1073 – EMS Mr & Mrs N. Webb External Material Schedule

Nook Farm Cleator - Arboricultural Impact Assessment Tree Protection Method Statement - December 2025

Nook Farm, Cleator Preliminary Ecological Appraisal - September 2025 - Report Reference: JN00821/D01

Bat & Barn Owl Report including Preliminary Roost Assessment and Dusk Emergence Survey for Nook Farm Cleator Cumbria CA23 3EY September 2025

Cumbria Barn Owl Inspection - 5th June 2026

Construction Environmental Management Plan Doc. Ref: 25/04/1073 - CEMP

Demolition Method Statement - Nook Farm Cleator Cumbria CA23 3EY

Flood Risk Assessment & Drainage Strategy Nook Farm, Cleator, Cumbria CA23 3EY

Photographic Record Of Existing Farm Buildings & Farmhouse Alpha Design December 2025

Heritage Statement - Nook Farm, Cleator, Cumbria

Planning Statement and Design & Access Statement – Nook Farm, Cleator, Cumbria

Nook Farm Biodiversity Net Gain Statement & Assessment- Ref: BIOC25-871 | V1.0

Reason

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

Pre-commencement Planning Conditions

Landscaping

3. No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:-

- proposed finished levels or contours;
- means of enclosure;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- retained landscape features such as trees.
- soft landscaping works including habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; and an implementation programme.

The agreed scheme shall be carried out as approved to the agreed timetable.

Any trees / shrubs which are removed, die, become severely damaged or diseased within ten 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.

Drainage

4. Notwithstanding the submitted details, no development shall commence until details of a



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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 be based on the hierarchy of drainage options in the Planning Practice Guidance.

The surface water drainage scheme must 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 scheme 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 and pollution in accordance with the provisions of Policy DS7 of the Copeland Local Plan 2021-2039.

Construction Management

5. Notwithstanding the submitted details, 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:

- 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.
- Measures to prevent/mitigate the impact upon protected species and habitats.

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.

Pre-Occupation Planning Conditions

External Lighting

6. No development hereby approved shall 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, light spillage and hours of use of all external lighting within the site.

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

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.

Drainage

7. No development hereby approved shall be occupied until a Sustainable Drainage Management and Maintenance Plan (SDMMP) for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority.

The SDMMP shall include as a minimum:

- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and,
- (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system and compensatory storage areas to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall be completed, maintained and managed in accordance with the approved SDMMP.

Reason

To ensure that management arrangements are in place for the sustainable drainage system and to manage the risk of flooding and pollution in accordance with the provisions of Policy DS7 of the Copeland Local Plan 2021-2039.

Other Planning Conditions

Ground Conditions

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 in accordance with the provisions of Policy DS8 of the Copeland Local Plan 2021-2039.

Ecology

9. The development shall implement all of the recommendations and mitigation measures contained in:

- Nook Farm, Cleator Preliminary Ecological Appraisal - September 2025 - Report Reference: JN00821/D01
- Bat & Barn Owl Report including Preliminary Roost Assessment and Dusk Emergence Survey for Nook Farm Cleator Cumbria CA23 3EY September 2025
- Cumbria Barn Owl Inspection - 5th June 2026

Reason

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

Arb.

10. The development shall be carried out in full accordance with the approved Arboricultural Impact Assessment and Tree Protection Method Statement entitled "Nook Farm Cleator -

Arboricultural Impact Assessment Tree Protection Method Statement - December 2025". The approved tree protection measures shall be installed before any development commences and retained for the duration of the construction period

Reason

For the avoidance of doubt and to prevent harm to retained trees in accordance with the provisions of Policy N14 of the Copeland Local Plan 2021-2039.

Drainage

11. Foul water and surface water shall drain on separate systems.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy DS7 of the Copeland Local Plan 2021-2039.

Construction Management

12. No construction work associated with the development hereby approved shall be carried out outside of the hours of 08.30 hours -18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays.

Reason

In the interests of neighbouring residential amenity in accordance with the provisions of the National Planning Policy Framework.

Use

13. The horse arena, stable building, workshop and implement shed hereby approved shall be used solely for purposes incidental to the enjoyment of the dwellinghouse hereby approved and for the private keeping of horses by the occupiers of that dwellinghouse.

The facilities shall not be used for any commercial equestrian activity, livery business, riding school, equestrian training enterprise, breeding operation or by persons not resident at the dwellinghouse hereby approved.

Reason



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To ensure that the scale and nature of the equestrian development remains appropriate to its countryside location, to safeguard the character and appearance of the area and to accord with Policy RE2 of the Copeland Local Plan 2021-2039

Informatives

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 right of way must be kept open and available for public use at all times unless a diversion, closure or stopping up order has been authorised and confirmed under the appropriate legislation.
- No materials, plant, machinery, fencing or other obstruction shall be placed on the public right of way without the prior written agreement of the Highway Authority.
- If works are likely to affect use of the public right of way, the applicant is advised to contact Cumberland Council's Countryside Access Team at the earliest opportunity.

Ecology

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 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.

- All work must take place during daylight hours as badgers are more likely to be commuting over the site at night and this will ensure the risk to any badgers passing through the site will be minimised.
- 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 badgers are not trapped during work.
- All excavations left open overnight or longer should 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.
- Stored materials should be raised (i.e. stored on pallets) in order to ensure that wildlife such as hedgehogs do not shelter in the piles.
- In the unlikely event that any signs of any activity from otter or red squirrel is subsequently found, all site works must cease and further ecological advice should be sought with a view to a detailed method statement and programme of mitigation measures being prepared and implemented.

Amphibians and Reptiles

As there is potential for GCN to be present on site it is deemed that this would be in the vegetation areas. Therefore, as a precautionary approach, the following measures must be followed:

- 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.



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- The storage of all loose materials must be palletised or similar so they are off the ground whenever possible.
- Between October and March, any piles of wood or suitable materials should be checked for hibernating hedgehogs before disturbance. Any hedgehogs found should ideally be left alone. If this is not possible, the hedgehog should be carefully and safely relocated to suitable habitat away from the development site.
- 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.
- 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.

Bats

Trees M (AIA ref.: T062, Cat. U) and I (AIA ref.: T036, Cat U) should be retained due to them being considered to have potential to support roosting bats. If they are to be felled, then they must be inspected by a Suitably Qualified Ecologist who holds a Level 2 bats licence with Natural England.

The demolition of the farmhouse is to be undertaken within 18months of the bat survey (September 2025). If this is not possible then surveys will need to be repeated.

Statement

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

Case Officer: C. Harrison

Date : 16.07.2026

Authorising Officer: N.J. Hayhurst

Date : 21/07/2026

Dedicated responses to:- N/A