

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2041/0F1
2.	Proposed Development:	DRILLING OF BOREHOLES AND SMALL SCALE INJECTION TRIAL WORKS
3.	Location:	MID TARN FARM, SEASCALE TO SELLAFIELD ROAD, SELLAFIELD
4.	Parish:	Beckermest with Thornhill
5.	Constraints:	ASC Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Preferred Route Corridor - Within Preferred Route Corridor, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See Report
7.	Report: Site and Location The Mid Tarn Farm application site is located in open countryside, surrounded by agricultural fields, approximately 200m west of the Sellafield boundary. It comprises a former farm building group. Most of the farm buildings have recently been demolished leaving a large area of concrete hardstanding, soft ground, mature trees and one remaining farm building which together comprise the application site. The area of the site including the access road amounts to 0.94 ha.	

Relevant Planning History

4/23/2301/0F1 - Approved the demolition of Farmhouse/ barn buildings

4/25/9007 0F2 - Section 73 of the Town and Country Planning Act 1990 consent to amend condition 1 of planning permission 4/00/9006 [Use of an existing borehole nearby (No. QBH25) for long term monitoring of groundwater] to allow an extension to the expiry date of the planning permission until 30 June 2027.

4/24/2165/0F1 - Approved in June 2024 for the drilling of six temporary boreholes on Mid Tarn Farm and neighbouring Tarn Head Farm, with the aim of identifying a suitable test site for the undertaking of in ground trials to support ground remediation works on the Sellafield Ltd operational site. The works carried out have identified Mid Tarn Farm as the most suitable site for additional investigations (the precursor to this application). However, it transpired that the temporary period permitted via condition 1 until 31 July 2026 was too short hence the need for a further consent as below.

4/24/2241/0F1 - This a repeat application for the above (4/24/2165/0F1) which obtained consent for the same except for a longer temporary consent period until 31 December 2027.

Proposal

A full planning application for the drilling of up to sixty-five (65 no) temporary boreholes and excavation of three (3 no.) trial pits, followed by small-scale injection trial works at Mid Tarn Farm which is located to the west of the Sellafield site for a temporary period ending 31 December 2028. This has been amended as the original submission was for a lower number of 40 boreholes within the same application site.

Each borehole will be installed either as an injection well or a groundwater monitoring well. They will be drilled using a sonic drilling method to a maximum diameter of 200mm and a maximum depth of 20m.

Groundwater monitoring wells will be installed with a 50mm diameter pipe and the injection wells will be installed with a 100-150mm pipe. At the surface the pipe will be protected by a metal cover which will be no more than 300mm in height and 200mm in diameter.

One of the working areas will involve the excavation and backfilling of three trial pits by a JCB type excavator. The trial pits and associated boreholes in this area may be moved to an alternative location in the north-east of the site to avoid the need for breaking out and reinstating concrete – this will be determined upon site information collected during drilling of other locations on the hardstanding to assess concrete thickness and the level of steel reinforcement. There will also be temporary welfare and trial equipment positioned within the site.

Vehicular access will be via the existing farm road which for construction will be used to deliver the drilling rig by low loader (lorry) to each borehole location. The drill rig is a tracked



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machine which will be moved between borehole locations by remote control. Track matting will be placed down when the drill rig is moved to prevent damage to any surface. It is likely that up to 5 small vans or pick-ups will regularly be required to access the site during the drilling works. Once construction / drilling works are complete sampling works will be undertaken and the boreholes will be accessed via a small van/ pick-up parked on the site's hard standing.

Consultations

There were two rounds of consultation carried out for this application as explained below.

First Round of Consultations

The original consultations below were based on the initial submission for 40 boreholes.

Beckermeth with Thornhill PC

initially queried the following: What is to be injected into the ground? And why is it being injected into the ground? Sellafield Ltd provided a response which was relayed to the Parish Council but no further comments have been received.

Environment Agency

No objections - are satisfied that the reports submitted with the application assess the site as being uncontaminated. It is noted that the activity associated with ground remediation following installation of boreholes will be managed by regulations outside the scope of the planning permission.

CC Historic Environment Officer

No objections.

CC Ecologist

Accepts that this application is exempt from the Biodiversity Gain Condition for reasons stated in accompanying Planning, Design and Access Statement (Sellafield Ltd).

Advises on a planning condition initially requiring a CEMP to be produced, approved and implemented.

Following further discussions though, it has been agreed with our Ecologist that instead of a condition requiring a CEMP, a letter would suffice from the applicants SL Ltd confirming that the mitigation measures included in part 4.2 of the Ecological Impact Assessment (which are considered sufficient to address the potential environmental impacts which could occur during construction) would be implemented. This letter confirms that a copy of the Ecological Impact Assessment will be available on site at all times during the trial works. Every person working on the site will be required to read this and comply with the contents of the document. In the case of an emergency, a contact for ecological advice is provided. Advises that this is

governed by condition.

CC Environmental Health

No objections.

CC Highways and Local Lead Flood Authority

No objections subject to a condition ensuring that the public footpath which runs through the site remains unobstructed at all times.

CC Countryside Officer

No objections and advises on an informative for safeguarding the PROW that runs through the site.

Second Round of Consultations

The application was amended in June to increase the number of boreholes being applied for to 65 within the same application site. As a consequence, a further round of consultations was undertaken and the following additional responses were received:

Beckermeth with Thornhill PC

No objections but would like more information relating to main purpose of this application.

Environment Agency

No objections - have reviewed the amended plans and have no further comment to add to their previous response (dated 18 February 2026; letter ref: NO/2026/117331/01-L01 – no objections).

CC Local Highway (LHA) and Lead Local Flood Authority (LLFA)

No objections - confirm that the response made previously should still apply (no objections subject to a condition ensuring that the public footpath which runs through the site remains unobstructed at all times).

CC Ecologist

No objections, previous response still applies

CC Environmental Health

No objections to the amendments.

Planning Policy

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan



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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.

The Copeland Local Plan 2021 – 2039 (herein after referred to as the Local Plan)

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 key policies of the local plan are considered relevant to this proposal:

Policy NU4 Nuclear and associated development at Sellafield

Policy DS4 Design and Development Standards

Policy DS5 Hard and Soft Landscaping

Strategic Policy DS6 Reducing Flood Risk

Strategic Policy DS7 Sustainable Drainage

Strategic Policy DS8 Soils, Contamination and Land Stability

Strategic Policy N1 Conserving and enhancing Biodiversity and Geodiversity

Strategic Policy N3 BNG

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

Assessment

Principle of Development and Planning Policy

The principle of development by using the former farmstead site for boreholes and trial wells has already been accepted by virtue of the previous application (4/24/2241/0F1 refers) on the site for the same but albeit smaller number of boreholes.

As regards policies the key local plan policy which is relevant to this application is NU4 Nuclear and associated Development at Sellafield. This supports such development that is directly related to the nuclear industry at Sellafield – specifically criterion a) which permits

monitoring and investigatory work that is necessarily done off-site. This is providing measures are included to adequately mitigate any adverse effects of the proposed development. SL in their Design and Access Statement inform that the proposal has been designed to reduce adverse environmental and community impacts wherever possible, including keeping drilling works to normal working hours, and designing the borehole locations and protective equipment to be as sensitive to the local environment as possible. The ecological and contamination studies make recommendations, wherever required, to reduce the impact of development.

The latest iteration of the National Planning Policy Framework (NPPF) was published in December 2024 and consolidates all national planning policy guidance. A further version is expected shortly but this is not yet available. At the heart of the NPPF is a presumption in favour of sustainable development. The borehole size and locations have been designed to be as sympathetic as possible to the local environment and community whilst carrying out vital monitoring work. Drilling works will be carried out in a minimal timeframe and normal working hours will be adopted to ensure as little harm is caused as possible.

Taking the above into account, it is considered that the proposed development accords with the relevant policies and guidance contained in the local plan and the NPPF.

Landscape, Visual and Design

Mid Tarn Farm lies within Cumbria Landscape Character Area Type 5b Low farmland. The application site is relatively level and the proposed boreholes in terms of location and being individually of small-scale design, protruding no more than 300mm above ground and being of 200ml in diameter, would have negligible landscape or visual impact beyond the immediate site. It is accepted there may be some visual impact on the users of the public footpath which runs across part of the site who would be able to view the welfare and other associated equipment and any subsequent workings, this impact especially being temporary in nature is likely to be minimal.

At the end of the temporary 28-month permission period there will be no permanent changes to the landscape or area around the boreholes as a consequence of the development. All pipework, equipment and waste will be removed from the area at the end of the trial.

There will be no harm to existing trees in the area as none are affected by the proposal and thus a Tree Survey was not required for this application.

Ecology

An Ecological Impact Assessment (EcIA) was carried out for Mid Tarn Farm (and Tarn Head Farm) in 2024 to support the previous planning application for initial ground investigation works at the site and was based on a comprehensive desk study and site survey. The EcIA concluded that there would be no significant effects on ecological features, taking account of the established best-practice avoidance and mitigation measures identified in the report. The farm buildings outside the 2024 red-line boundary were demolished by the landowner in

2025; the footprint of these buildings is concrete hardstanding, which is within the current red-line boundary.

The 2024 EclA is considered to remain valid for this application for the following reasons:

- a) The proposed works are similar in nature (borehole drilling, sampling and testing work) to those assessed by the EclA.
- b) The areas of the site surveyed as part of the previous work at Mid Tarn Farm include areas proposed for drilling and injection trial work in this proposed scheme.
- c) The footprint of the demolished farm buildings which forms the remaining areas proposed for drilling and injection trial work in this proposed scheme is concrete hardstanding that does not introduce additional habitat that would require further assessment or mitigation beyond that identified in the 2024 report.
- d) Additional visits by ecologists have been made to Mid Tarn Farm since 2024 as part of other investigation works, covering most of the site area within the red line boundary; no potentially notable changes to the ecological conditions were identified.

This has been accepted by the Council's Ecologist and as explained previously that the EclA together with a covering letter will replace the need for a CEMP to be provided.

It should be noted that the borehole locations have been identified purposely to avoid sensitive habitats, sensitive receptors and to allow access to working areas for the drill rig and for future monitoring works.

A BNG Exemption Statement accompanies the application. The scheme is considered exempt under Regulation 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (the 'de minimis exemption') for the following reasons:

- a) The proposals do not impact any 'priority habitats' as no such habitats are present on the site.
- b) The proposals impact less than 25 square metres of onsite habitat that has biodiversity value greater than zero:

The majority of the boreholes will be on concrete hardstanding (biodiversity value of zero), including areas left in-situ following recent demolition of old farm buildings. Boreholes outside of concrete hardstanding areas will temporarily impact approximately 1m². Once completed, each borehole will be ~200mm dia. so will impact ~ 0.03m². It transpires that no more than 15 borehole locations will fall outside of the concrete hardstanding areas. Temporary units for welfare and trial equipment will be located on concrete hardstanding (biodiversity value of zero) or (if located on grassland) will occupy ~10m² only.

- c) The proposals will have no impact on onsite linear habitat.

Traffic and Transport

The site will be accessed by the existing farm road. This will be used to deliver the drilling rig

and trial equipment by low loader (lorry). A telehandler will also be present on site to support deliveries and will use this road as access. The drill rig is a tracked machine which will be moved between borehole locations on each site by remote control. Most of the work will be undertaken on concrete hardstanding areas, however track matting will be placed down if the drill rig is moved across soft ground to prevent damage to the surface.

It is likely that up to 5 site vehicles will regularly access the site during the drilling and trial works. These site vehicles will likely be small vans or Hilux type 4x4 vehicles. Vehicles will adhere to all local speed restrictions and rules when accessing the sites. After injection trial works are completed, sampling and validation works will be undertaken. The personnel who will take this work will access the farm site with a small van that will be parked at the farm site on hard standing. The boreholes will then be accessed by foot.

The above demonstrates that at this level of use and scale of vehicles employed the impact in terms of traffic is assessed as being low, this is endorsed by the Highway Authority who raise no objection to the proposal as long as the PF remains unobstructed.

Noise

The nearest noise sensitive receptor is Tarn Head Farm approximately 400m south of the boreholes site. Whilst there may be noise in the short term from the drilling and borehole set up it is unlikely to have any adverse effect. It is not anticipated there would be any noise from the monitoring of the boreholes as no construction works are required for operation of the site.

In view of the above, works will take place only within the hours of 7am and 6pm, with no works to be carried out at the weekend. Drilling works will only be carried out for 1 day at each location and therefore noise pollution impacts outside of the development area are considered to be minimal. A noise assessment has been carried out by the manufacturer of the drill equipment, who states that when operating in an outdoor environment, hearing protection is not required at a distance of 10m from the drill rig, based on the Health and Safety Executive (HSE) guidelines. Given this, it is not anticipated that any significant noise impacts will be experienced outside of the development site.

Dust

It is not anticipated that dust would be an issue as no major construction works are required as part of the development that would impact outside the immediate site area.

Flood risk and drainage

The site is in Flood Zone 1 and is at a low risk of flooding from rivers and the sea. The risk of groundwater flooding is also identified as low. The proposed works will not impact upon the existing drainage arrangements.

It is anticipated that there will be no increase to flood risk outside of the site due to the small-scale nature of the works and the drainage systems associated with the proposed



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development. It should also be noted that the LLFA raise no objection,

Contaminated land

A Contaminated Land Risk Assessment was carried out for Mid Tarn Farm in 2024 to support a previous planning application for initial ground investigation works at the same site. This assessment concluded that there was no unacceptable risk of land contamination impacts and that the site is suitable for the proposed use in accordance with the National Planning Policy Framework (NPPF). The Contaminated Land Risk Assessment is considered to remain valid for this application as the site red line boundary for this proposed development remains the same, the proposed works are similar in nature, and regular visits to the site since 2024 have been undertaken. There have been no further contaminated land impacts to the site during this time. This is accepted by the Environment Agency who raise no objections.

Site decommissioning and restoration

On completion of the drilling work and injection trial, all containers, welfare cabin, equipment and waste will be removed, leaving only the boreholes for validation work and groundwater monitoring.

It is the intention to decommission the boreholes at the earliest opportunity. This may be up to December 2028 to allow for the collection of sufficient groundwater samples. The area around the boreholes will not be changed after the works are completed and therefore it is not anticipated that any restoration measures will be required.

Planning Balance and Conclusion

This proposal for the drilling and operation of up to 65 temporary boreholes and associated development at Mid Tarn Farm for a 28 month period raises no material planning issues. It has been demonstrated that it will not cause any undue harm to the environment. Although there are unlikely to be any significant impacts, where mitigation measures are required, they can be addressed by appropriate avoidance and mitigation measures to reduce any risk to a minimal level.

Consultations (first and second round) raised no material concerns that otherwise could not be mitigated by appropriate conditions. In terms of ecology the EclA concluded that there would be no significant effects on ecological features, taking account of the established best-practice avoidance and mitigation measures identified in the report subject to the identified mitigation measures being properly implemented during construction. There would be minimal impact from a landscape and visual perspective especially given the low level and small-scale nature of the design, Traffic impacts given the low level of use and activity proposed are likely to be negligible. There is also no issue identified in terms of noise or dust emanating from the site, working hours will be controlled by condition. In terms of flood risk, it is anticipated that there will be no increase to flood risk outside of the site due to the small-

	scale nature of the works and the drainage systems associated with the proposed development. It has been demonstrated that the land is not affected by contamination. Restoration work following decommissioning will be minimal. As regards benefits the development will support vital ground investigation work by Sellafield Ltd. On balance therefore, taking the above assessment into account, it is considered that the proposal constitutes an acceptable form of development in accordance with the relevant policies of the Copeland Local Plan as well as national policies and guidance.
8.	Recommendation: Approve
9.	Conditions: Temporary Timescale & Restoration Conditions 1. The boreholes and associated development hereby permitted shall be removed by 31 December 2028 and the land restored to its former condition on or before this date in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority. Reason The use hereby approved is not considered appropriate as a permanent form of development in order to safeguard the amenities of the locality. Approved Plans and Documents 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: - <u>Documents</u> Completed Application Form received 22/01/2026. Updated Planning, Design and Access Statement, by SL Ltd, reference PLC_BCC_2219, received 2/06/2026. Updated Ecology Cover Note for Ecological Impact Assessment dated 8/05/2025, by SL Ltd, reference PLC_BCC_2219, received 2/06/2026. Ecological Impact Assessment (EclA), by AtkinsRealis, dated April 2024, received

22/01/2026.

Letter by Ellie Wattam of SL Ltd, dated 1 April 2026 to accompany the Ecological Impact Assessment (EcIA), received 2/06/2026.

Ground Investigation Desk Study, Preliminary Desk Assessment by AtkinsRealis, dated 12/04.2024.

Cover Note for Ground Investigation Desk Study, by SL Ltd, dated 19/12/2025, received 22/01/2026.

Plans & Drawings

Site Location Plan, dated 13/01/2026, received 22/01/2026.

Amended Block Plan dated 7/05/2026, received 2/06/2026

Updated Indicative Locations of Boreholes and Trial Pits, Figure 1, Rev 1, received 2/06/2026.

Topographic Plan, dated 13/01/2026, received 22/01/2026.

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.

Pre- Commencement Condition

3. Before any work or construction commences on site the letter dated 1 April 2026 from Ellie Wattam of Sellafeld Ltd and the accompanying Ecological Impact Assessment (EcIA) by Atkins Realis, dated April 2024 to which it refers, shall be made available on the site and shall remain there at all times for every person working there to read and comply with. All the ecological mitigation measures set out in part 4.2 of the Ecological Impact Assessment shall be implemented and thereafter maintained as such.

Reason

This replaces the need for a CEMP on site and is required to safeguard the ecological Interests of the site and the immediate vicinity in accordance with Policy N1 of the Copeland Local Plan 2021-2039.

Other Conditions

Highways

4. The Public Right of Way (public footpath/bridleway/byway) number 403016 which runs through the site shall remain unobstructed at all times.

Reason

To support Local Transport Plan Policy W1, W2

Noise - Hours of Working

5. Construction activities shall be carried out only between the hours of 07.00 and 18.00 Monday to Friday, with no works to be carried out on a Saturday, Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of general amenities of the surrounding area during the construction the development in accordance with Policy DS4 of the Copeland Local Plan 2021-2039

Informative Notes

Public Rights of Way

Public Right of Way FP 40316 runs along the access road to Mid Tarn Farm and through the development site. A Temporary Closure of the Public Right of Way may be required for the duration of the works. The applicant should contact the Countryside Access Team: countryside.access@cumberland.gov.uk to discuss this matter further. The granting of planning permission does not give the developer the right to block or obstruct the right of way. The right of way must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

Ecology

General Mitigation Measures

The following general measures are requested to be implemented during the construction phase of the Proposed Scheme:

- An Ecological Clerk of Works (ECoW) should be present when ground investigation works are initiated. The ECoW will ensure the below mitigation measures are in place.



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- Works will adhere to the Guidance for Pollution Prevention (GPPs) and Construction Industry Research and Information Association (CIRIA) C762 Environmental good practice.
- During construction, trees will be protected in line with guidelines provided in BS 5837 Trees in relation to design, demolition and construction- Recommendations.
- Vegetation clearance, if required, will be confined to areas of poor-quality dense scrub and modified grassland, will be minimised, and will be undertaken outside the core bird nesting season (the core bird nesting season is 1 March to 31 August) to avoid damage or destruction of occupied nests or harm to breeding birds. If this cannot be achieved, works within the core bird nesting season will require an inspection of vegetation to be cleared for breeding birds and their occupied nests by a suitably qualified ecologist no more than 24 hours prior to any works being undertaken. If any nesting birds are identified during the survey they will be left in situ for their entire nesting period and alternative approaches to the work proposed. This may include leaving an exclusion zone around the nests to avoid disturbance.
- Ahead of any ground investigation works, or tracking equipment, a visual check will be performed by the ECoW for the following species: priority plants, widespread species of reptiles and amphibians. Should any priority plants be identified at the site of a potential borehole location, the ECoW will discuss with the team an appropriate replacement location. Should any reptiles or amphibians be identified, the ECoW will relocate these to a suitable location.
- Any excavations will be filled or covered overnight. If this is not possible, one side of the excavation will be graded so that it provides an escape ramp to prevent any animals becoming entrapped.
- Ground investigations between dusk and dawn (taken to be from 30 minutes before sunset to 30 minutes after sunrise) will be avoided where possible. It is understood that works will not take place at night, however, if avoidance is not possible any lighting required will be directed downwards at the construction works and light spill to adjacent habitats (particularly the hedgerows and line of trees) avoided.

This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Invasive Non-Native Species (INNS)

The following general measures will be implemented during the construction phase of the proposed scheme:

- The area noted as suspected Japanese knotweed will be subject to an updated check

prior to works commencing, to confirm species identification. If the species is confirmed to be Japanese knotweed (or another INNS), the landowner will be informed along with a recommendation that a management plan is produced by an INNS specialist.

- If the presence of Japanese knotweed is confirmed, a minimum of a 7m buffer will be required around the stand in which no plant or personnel are permitted to enter. If this is not possible then an INNPS specialist will be contacted to establish any required mitigation measures to avoid the spread of Japanese knotweed.
- Ahead of any ground investigation works, or tracking equipment, a visual check will be performed by the ECoW for the INNS.

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: De Minimis Development

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: H.S. Morrison

Date : 24/07/2026



**Cumberland
Council**

Authorising Officer: N.J. Hayhurst	Date : 27/07/2026
Dedicated responses to:- N/A	