

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/26/2042/0F1
2.	<b>Proposed Development:</b>	PROPOSED AGRICULTURAL BUILDING
3.	<b>Location:</b>	SEASCALE HALL, SEASCALE
4.	<b>Parish:</b>	Seascale
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, Gas Pipeline - Northern Gas Pipeline - 135m buffer, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way
6.	<b>Publicity Representations &amp;Policy</b>	See Report.
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>The application relates to Seascale Hall, Seascale, which comprises a collection of agricultural buildings which lies to the east of the Sellafield site.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the erection of an agricultural building within the existing farm complex.</p>

The proposed building will measure 18.2 metres in width and 10.6 metres in depth. It will include a dual pitched roof with an eaves height of 6.5 metres and an overall height of 7.9 metres.

It has been designed to match the existing farm buildings elevations with concrete panels to the lower sections and anthracite grey box profile metal sheeting above with an anthracite grey box profile metal sheeting roof.

### **RELEVANT PLANNING APPLICATION HISTORY**

4/90/0135/0 - AGRICULTURAL BUILDING – Approve

4/92/0669/0 - AGRICULTURAL BUILDING - Approve

4/18/2207/0L1 - LISTED BUILDING CONSENT FOR INTERNAL AND EXTERNAL REFURBISHMENT WORKS - Approve

4/21/2348/0L1 - LISTED BUILDING CONSENT FOR GROUND FLOOR REMOVAL OF ALL GROUND FLOOR SUSPENDED TIMBER FLOORS FOR REPLACEMENT WITH LIMECRETE - GROUND FLOOR TOY ROOM – Approve

4/22/2352/0B1 - VARIATION OF CONDITION 12 (CHANGE OF WINDOW MATERIAL) OF LISTED BUILDING CONSENT REFERENCE 4/18/2207/0L1 - LISTED BUILDING CONSENT FOR INTERNAL & EXTERNAL REFURBISHMENT WORKS - Approve

4/23/2280/0N1 - ROOF COVERING ON EXISTING OUTSIDE CATTLE FEEDING YARD TO REDUCE SLURRY AND DIRTY WATER VOLUME AND TO IMPROVE ANIMAL WELFARE – Approve

### **CONSULTATION RESPONSES**

#### Seascale Parish Council

No comments received to date.

#### Highway Authority and Lead Local Flood Authority

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

#### Northern Gas Network

Northern Gas Networks acknowledges receipt of the planning application at Seascale Hall, SEASCALE, CA20 1EH.

Northern Gas Networks has no objections to these proposals, however there may be



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apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue. If you have any questions, our Before You Dig Team will be able to help on 0800 040 7766 (option 3) or [beforeyoudig@northerngas.co.uk](mailto:beforeyoudig@northerngas.co.uk)

### Cumberland Council Footpath Officer

We have no objection to the development. However, it should be noted that Public Right of Way BOAT 426014 follows the main access track through Seascale Hall. See attached plan. 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.

### Cumberland Council Environmental Health

Thank you for the above planning consultation. Environmental Health have no previous complaints about this premises, and this proposed development is not expected to impact residential amenity. As such, there are no objections to this proposed development.

### Public Representations

The application has been advertised by way of site notice – 1 letter of support has been received in response to the application which states the following:

- makes use of a disused shed so I don't really see a problem, it is not affecting anyone and makes the farm more productive therefore it is a win win. Summary of response:  
Support

## **PLANNING POLICY**

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

### **Development Plan**

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria. Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland. The inherited the 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.

The following policies are relevant to this proposal:

Strategic Policy DS2 – Settlement Boundaries

Policy DS4 – Design and Development Standards Strategic

Policy RE1 – Agricultural Buildings

Strategic Policy N1 – Conserving and Enhancing Biodiversity and Geodiversity Strategic

Policy N3 – Biodiversity Net Gain Strategic

Policy N6 – Landscape Protection

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Conservation of Habitats and Species Regulations 2017 (CHSR)

The Wildlife and Countryside Act 1981

## **ASSESSMENT**

The key issues raised by this proposal are the principle of development, its scale and design and impact on residential amenity, the landscape and visual amenity, impact on the public right of way and ecology and biodiversity net gain.



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### Principle of Development

The parent property is outside of the settlement boundary for Seascale, however, Policy DS2 of the Copeland Local Plan supports development outside of settlements, which have a proven requirement for such location. This includes agriculture related developments. The proposal relates to an existing farmstead, and it will provide additional cattle storage for the farm.

Policy RE1 supports new agricultural buildings subject to detailed criteria, which is set out below.

On this basis, the principle of the development is acceptable, and the building satisfies Policies DS2 and RE1 of the Local Plan and the NPPF guidance.

### Siting, Scale, Design and impacts on Amenity

Policy DS4 and section 12 of the NPPF seek to promote high quality designs. Policy RE1 states proposals for new agricultural buildings will be permitted as long as they are of appropriate scale and design and do not result in adverse visual impacts or unacceptable harm to the landscape character or the amenity of nearby residential properties.

The proposed building will measure 18.2 metres in width and 10.6 metres in depth. It will include a dual pitched roof with an eaves height of 6.5 metres and an overall height of 7.9 metres.

The scale, design and siting of the proposed building is considered to be appropriate with regards to the existing farm buildings that are already located on site.

Given there are no residential properties within the immediate vicinity, and this application is just one of many that have been approved for this farm, the proposal is unlikely to cause unacceptable levels of residential amenity.

There were also no objections raised as a result of the consultation.

The proposed building will be finished with concrete panels to the lower sections and anthracite grey box profile metal sheeting above with an anthracite grey box profile metal sheeting roof. The design of the structure and the proposed materials reflect the existing buildings and character of the farm. In addition, the use of similar materials is considered acceptable and are appropriate for their use. On this basis, the proposal is considered to comply with Policies DS4 and RE1 of the Local Plan.

### Landscape and Visual Impact

Strategic Policy N6 states that landscapes will be protected and enhanced by ensuring that development proposals are assessed according to whether the proposed structures and associated landscaping relate well in terms of visual impact, scale, character, amenity value and local distinctiveness.

The development is considered to be suitably located within the existing farmstead, adjacent

to existing farm buildings which will ensure that the character of the area is not eroded with development away from the traditional farmstead.

The proposed materials are to be in keeping with the existing buildings and therefore this will minimise the impact of the development on the surrounding landscape.

Overall, the works are not considered to have a significant impact upon the visual amenity of the site and surrounding area, or the character and appearance of the landscape. The proposal is therefore considered to comply with Strategic Policy N6 of the Copeland Local Plan.

#### Impact on the Public Right of Way

Existing Public Rights of Way are protected by law and therefore do not need Policy protection, however Strategic Policy CO6 and The Countryside and Rights of Way Act 2000 seeks to exercise statutory rights of access.

As Public Right of Ways 426019 and 426014 run adjacent to the proposed structure, consideration must be given to the potential impacts on both the physical and amenity of the footpath.

A site visit confirmed the proposal will not interfere with the footpath, nor will it significantly harm the physical footpath, or the amenity of the user.

Furthermore, no objections were received from the Countryside Access Footpaths Officer, however the applicant is advised to ensure that the PROW is kept clear at all times for use by the public. This can be included as an informative on the decision notice, and therefore the proposal is considered to satisfy Policy CO6 and the NPPF guidance.

#### Impact on Biodiversity and Ecology

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however exempt from these BNG requirements. In this case the proposal is considered to be exempt from BNG requirements as the building is to be sited on an existing area of hardstanding and therefore no habitat will be lost.



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	<p>The application site is identified as a potential area for natterjack toads. Although the application site is located within 200m of a watercourse (as indicated within the ALGE trigger list), the proposed structure will be located on an area of hardstanding and is therefore not considered to significantly impact existing habitats. On the basis of the above it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.</p> <p>On this basis, it is therefore considered that given the conditions proposed, the development will comply with Policies N1 and N3 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Planning Balance &amp; Conclusion</u></p> <p>This application seek permission for the construction of a new agricultural building to provide additional storage to support the farming operations on site.</p> <p>The proposed development is considered to be appropriate in scale and design and given the separation distances to the closest residential property, will not have an adverse impact on residential amenity.</p> <p>The proposal will not have any detrimental impacts upon the landscape and visual impact and is not subject to BNG.</p> <p>The proposal is therefore considered to be an acceptable form of development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"><li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li></ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"><li>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: -<ul style="list-style-type: none"><li>- Application Form, received 5<sup>th</sup> February 2026;</li><li>- Site Location Plan, scale 1:1250, drawing 484 Seascale 02, received 5<sup>th</sup> February</li></ul></li></ol>

2026;

- Site Block Plan, scale 1:500, drawing 484 Seascale 01, received 5<sup>th</sup> February 2026;
- Proposed Sections, scale 1:50, drawing 484 Seascale 01, received 5<sup>th</sup> February 2026;
- Proposed Plan, scale 1:100, drawing 484 Seascale 01, received 5<sup>th</sup> February 2026;
- Proposed Elevations, scale 1:200, drawing 484 Seascale 01, received 5<sup>th</sup> February 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.

#### Informative notes

##### **Northern Gas Network**

There may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. If you have any questions, our Before You Dig Team will be able to help on 0800 040 7766 (option 3) or [beforeyoudig@northerngas.co.uk](mailto:beforeyoudig@northerngas.co.uk)

##### **Public Right of Way**

Public Right of Way BOAT 426014 follows the main access track through Seascale Hall. The applicant must be advised that:

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##### **Biodiversity Net Gain – Exemption**

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



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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 Minimus.

### 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: Demi Crawford**

**Date : 25/03/2026**

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

**Date : 02/04/2026**

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