

2 January 2025

Christie Burns,  
Cumberland Council



## PROPOSED NEW ACCESS, OXENRIGGS FARM 4/24/2296/0F1

Dear Christie,

I am response to the objection letter written by Micheal Sandilands on behalf of a neighbour. We would like to respond as follows; (Extracts from letter in black and our response in blue)

1. An existing access to Oxenriggs Farm is both safe and adequate for the current uses. The track will not replace the existing access which the other owners including the farming operations at Oxenriggs Farm will be obliged to continue using.

Whether the existing shared access is both safe and adequate is a subjective matter.

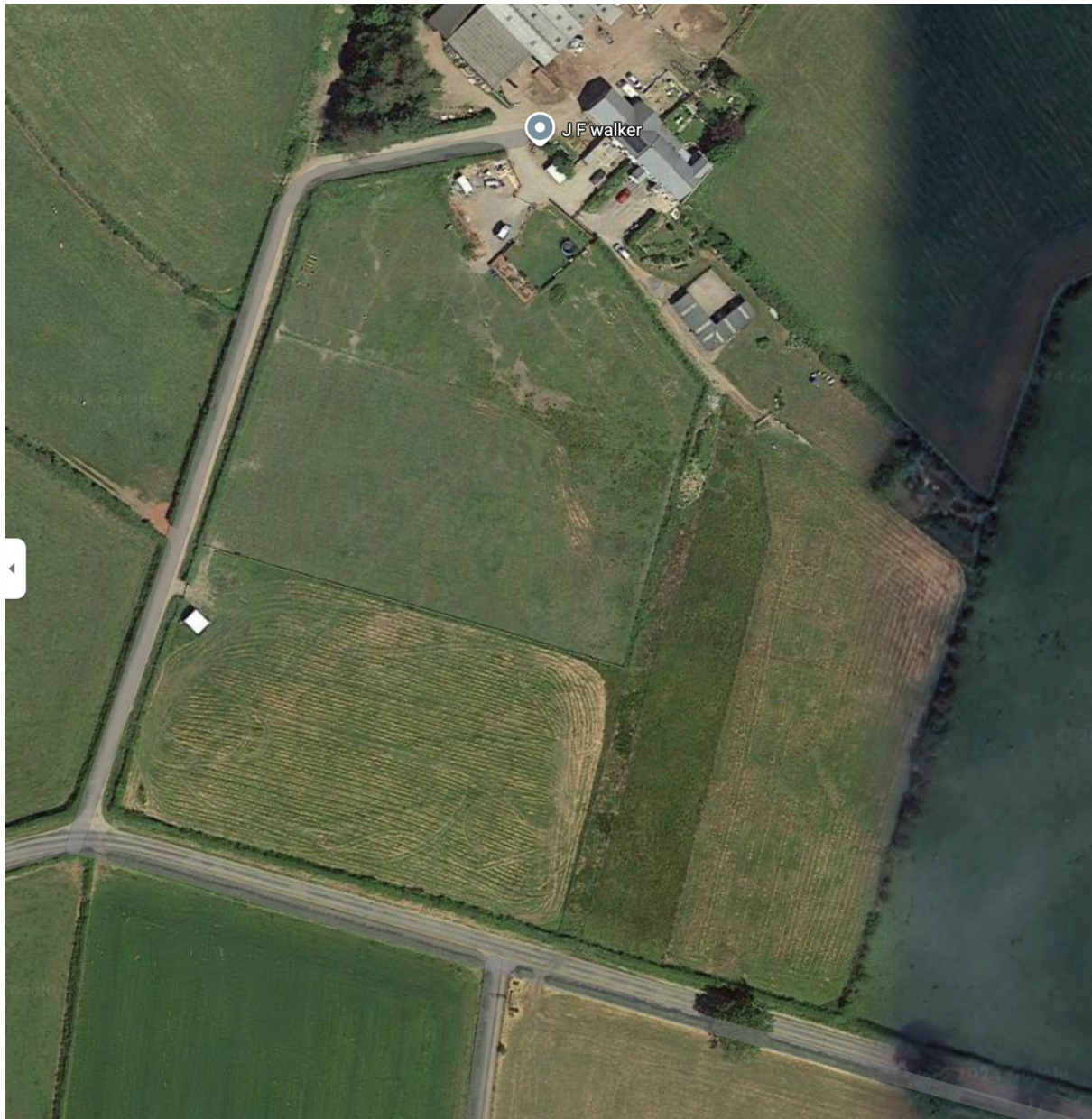
The fact that the new access will not replace the existing, is agreed. The proposal will however mean that the maintenance of the track will be wholly in control of the applicant and take some of the 'load' from the existing which is shared between neighbours and heavy farm vehicles.

2. There is no existing track to reinstate or upgrade. The photos contained on page 4 of the Planning Statement appear to show that materials have been tipped on the site of the proposed track and this does not in itself suggest that the track already exists. Indeed, the fact that the purported existing track does not lead anywhere suggests it is not a track.

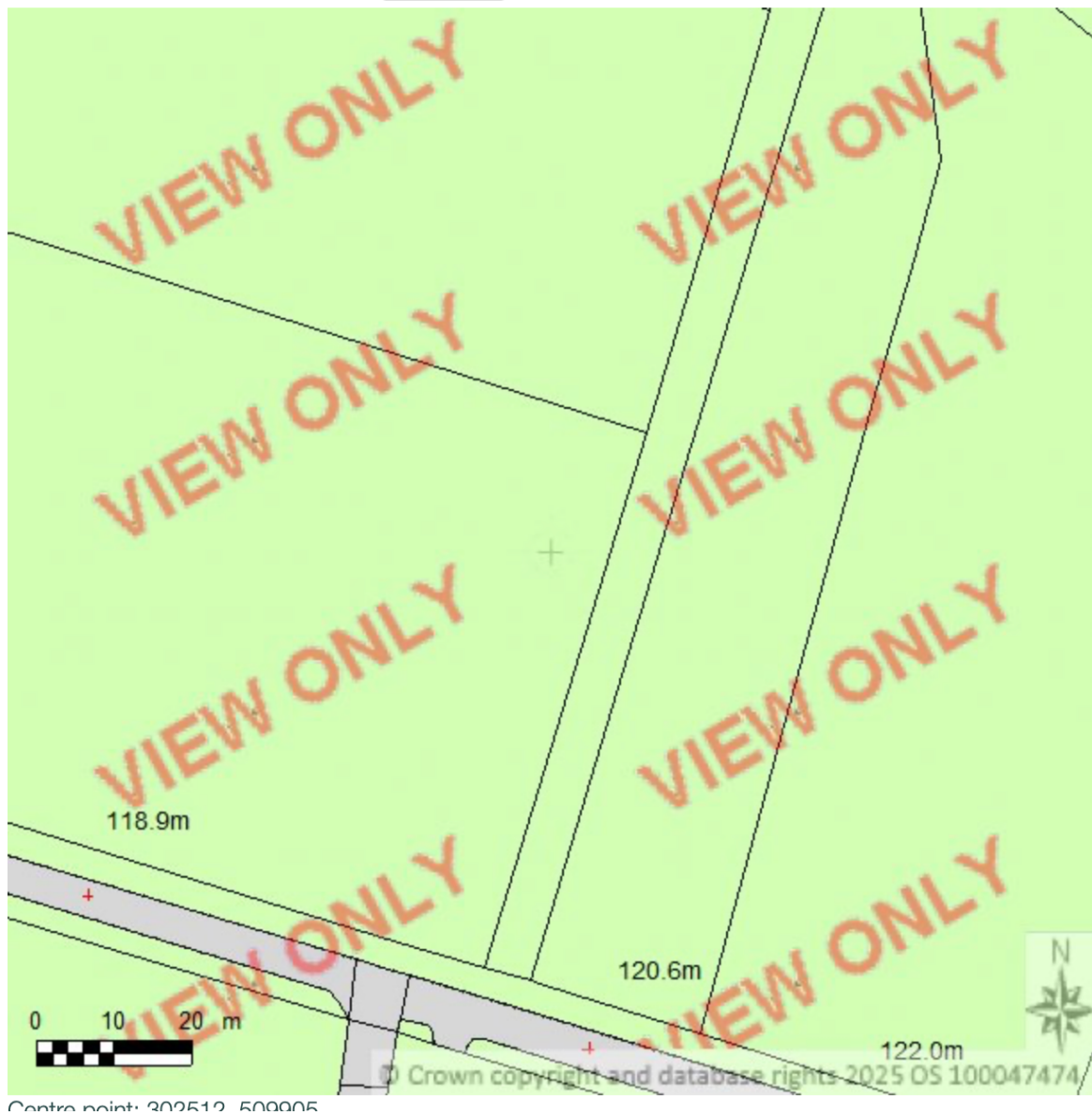
The description of the development appears to have been misleading and should be amended accordingly. The application should be treated as an entirely new development and no weight should be given to the fact that any element of the proposed development is reinstatement.

The track does already exist. The strip of land is fenced off on either side and already has hardcore surfacing. This is supported by the Google image below;

WK Design Architects  
Carolyn Williamson Dip Arch RIBA  
Tel: 07773 329 572  
Paul Kitchen Architectural Designer  
Tel: 07968 094 847  
studio@wkdesignarchitects.co.uk  
www.wkdesignarchitects.co.uk  
Registered Office  
43 The Mount,  
Papcastle, Cockermouth,  
Cumbria, CA13 0JZ  
Company Number: 08209170



Furthermore, it is also depicted on Ordnance survey maps. See below screen shot from an OS licenced operator;



3. In light of the above the Planning Authority should give appropriate consideration to landscape impact. It is apparent from the Planning Statement that no consideration has been given to the subject of landscape impact which is of course a material planning consideration. A proper assessment should be undertaken with reference to landscape character and the landscape harm of constructing a new track in this location.



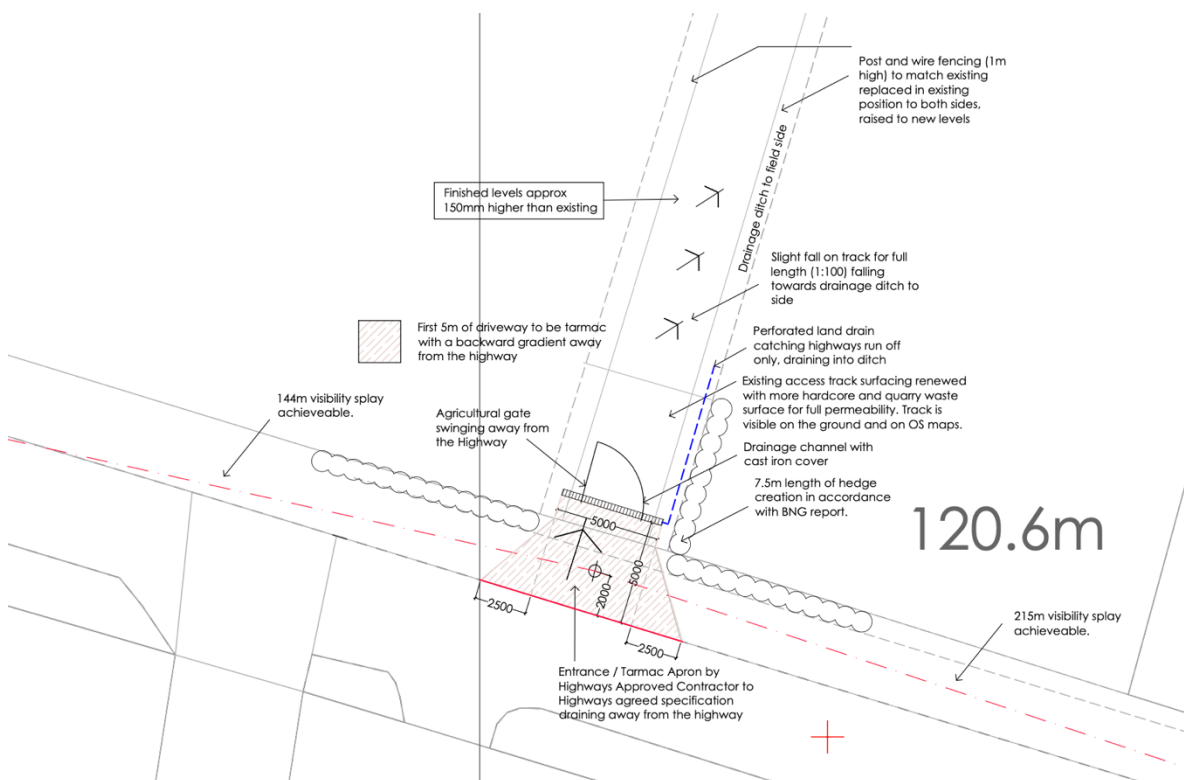
Track is already constructed as evidenced above with fencing and hedging both sides. The hardcore can be seen on the surfacing below, while the level of the existing track is also higher than



the adjacent land. The upgrade of the track therefore has little landscape impact. The upgrade in terms of Biodiversity is however considered and compensated in the BNG report attached to the application.

4. Surface water drainage. Our clients primary concern relates to surface water drainage. The land adjoining the track currently experiences issues in relation to poor surface water drainage. The construction of the track, although described as a permeable surface will be rolled in quarry waste and hardcore creating a surface which will not be entirely permeable and will create surface water run-off. Run-off which will be greater than the greenfield run-off rate. This will exacerbate surface water flooding on our clients adjoining land. The scheme does not incorporate any appropriate means for surface water drainage and it does not appear that any meaningful consideration has been given to the subject in the planning application.

The latest drawing 01D submitted on 24<sup>th</sup> September 2024 indicates that the finished surface will fall towards an open drainage ditch on the applicants field side and not the boundary with the adjacent neighbours field. From the ditch, it will percolate into the ground at greenfield run off rates. If anything, the upgraded track, (given that it drains towards the applicants field), serves as a barrier to the surface water discharging into the field of the adjacent neighbour. This is by virtue of the fact that the track surfacing will allow less percolation to the ground than presently and so will direct water away from the boundary.



The Highway Authority will not permit surface water to discharge onto the highway. Consequently, the water will run away from the highway off the track and onto the adjoining land. This can only be controlled by a suitable surface water scheme.

The track if constructed should be designed with an appropriate surface water system to drain and dispose of water entirely within land within the applicant's control without further exacerbating the surface water issues elsewhere.

As above and indicated on Proposal 01D, the tarmac apron will fall away from the road to an Aco drain and discharge into an open field ditch (again away from the neighbouring boundary).

Yours sincerely,

Carolyn Williamson