

Design and Access Statement (DAS)

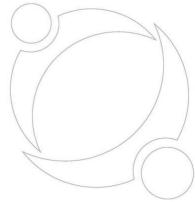
DAS-001

**Land at Beckside Farm, Distington, Workington,
Cumbria, CA14 4QY**

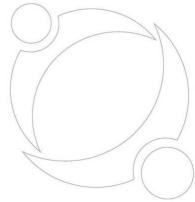
Proposed Detached Bungalow

Full Planning Application

03/01/2026 – Rev A

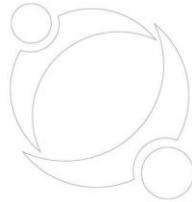
**Document Control**

Date	Issue Number	Change/Amendment	Author:
03/01/2026	-	Original submission	
12/01/2026	Rev A	BNG Statement following consultation with planning	



Contents

1.	Introduction.....	4
2.	Flood Risk.....	4
3.	Use.....	5
4.	Appearance.....	6
5.	Beckside Vernacular	6
6.	Housing Character.....	6
7.	Secured by Design	7
8.	Energy Efficiency.....	7
9.	Access	7
10.	Scale.....	8
11.	Proposal (boundaries & landscaping).....	8
12.	Amount.....	8
13.	Overlooking & Impact.....	9
14.	Environmental and geological	9
15.	BNG Exemption Statement.....	10
16.	Drainage	11
17.	Local & National Planning Policy	12
18.	Conclusion	14
19.	Appendices	16



1. Introduction

This Design and Access Statement has been prepared in support of a full planning application for the erection of one single-storey dwelling (bungalow) on land at Beckside Farm, Dinstington, Cumbria, CA14 4QY.

The application site forms part of land associated with Beckside Farm and lies on the edge of the existing settlement pattern, adjoining established residential development. The proposal seeks to deliver a modest, low-impact form of residential development, appropriate to the site's context and surroundings.

The principle of residential development on this site has been established through a recent Planning Inspectorate appeal decision, which granted outline planning permission establishing the principle of residential development on the site. That decision is a highly material consideration in the determination of the current application.

The proposal now before the Local Planning Authority represents a material reduction in scale and intensity when compared with the previously approved scheme. It comprises a single dwelling only, designed as a bungalow, deliberately limiting built form, ridge height, and visual presence when viewed from the surrounding landscape and public viewpoints.

This Design and Access Statement explains how the proposal responds positively to:

- The physical characteristics of the site and its surroundings;
- The relevant policies of the adopted Development Plan;
- National planning policy, including the National Planning Policy Framework; and
- The findings and reasoning set out in the appeal decision.

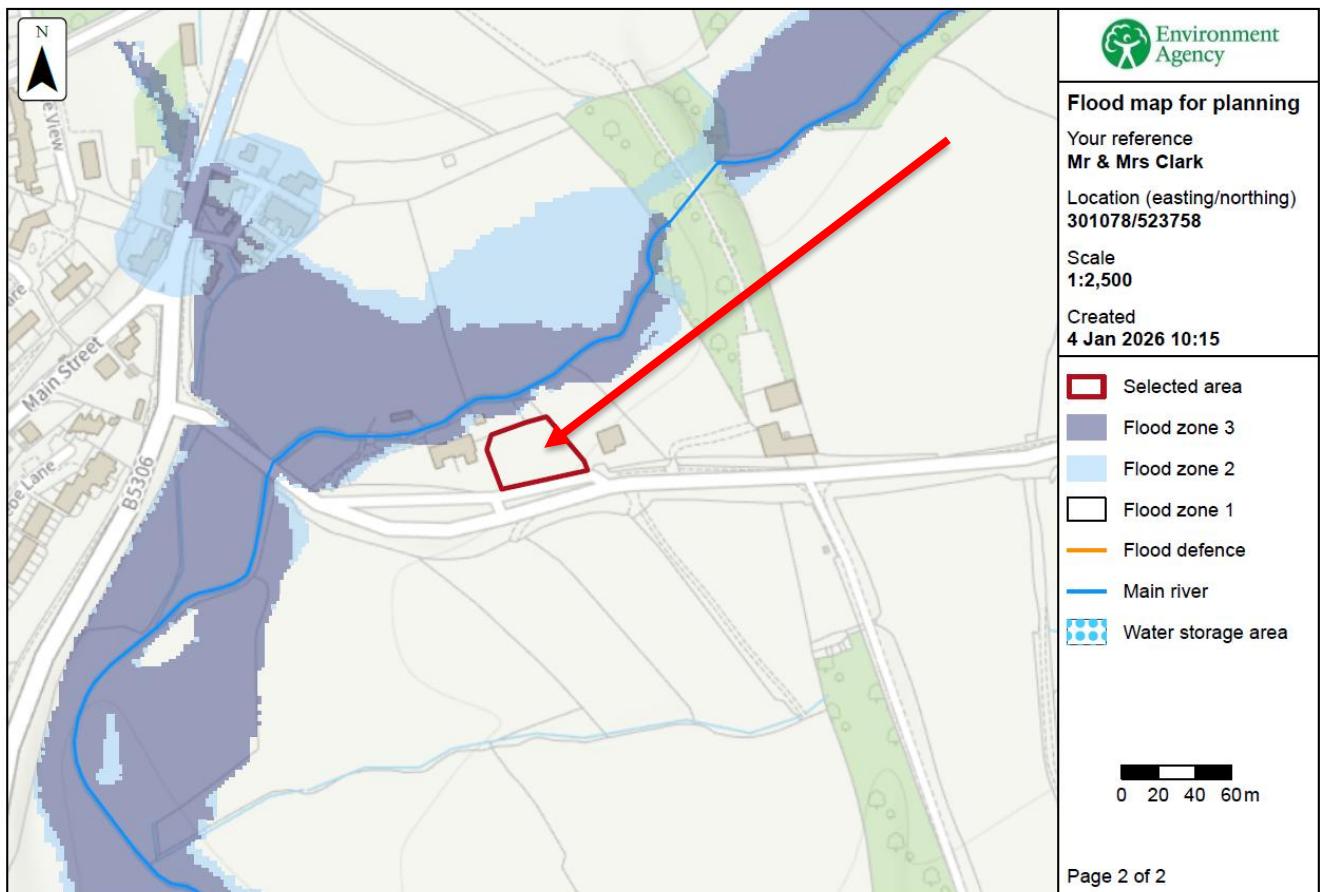
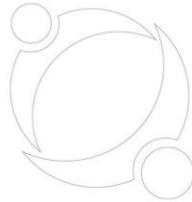
The proposal has been developed to ensure that it represents a sustainable, proportionate and contextually appropriate form of development, capable of being integrated into its surroundings without harm to visual amenity, landscape character, residential amenity or highway safety.

2. Flood Risk

The application site lies wholly within Flood Zone 1 as defined by the Environment Agency Flood Map for Planning and is therefore located in an area of low probability of flooding.

The site area is below 1 hectare and the proposed use is residential. As such, a site-specific Flood Risk Assessment is not required.

The proposal does not introduce development into land at flood risk and will not increase flood risk elsewhere. Surface water will be managed appropriately through on-site drainage measures as shown on the submitted plans.



© Environment Agency copyright and/or database rights 2026. All rights reserved. © Crown copyright and database rights 2026 Ordnance Survey licence number AC0000807064.

Fig 1 – Environment Agency Flood Maps

It can be seen from the above that the property falls outside the flood risk area and therefore is safe to develop, that this has not been known to have flooded over the recent period as Policy ENV1 – Flood Risk and Risk Management.

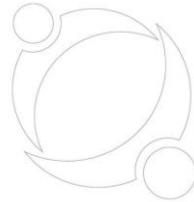
Surface water will be managed appropriately through on-site drainage measures as shown on the submitted plans.

3. Use

The proposed development is for a single dwelling within a sustainable edge-of-settlement location adjoining existing residential development.

While the site lies outside the defined settlement boundary, the principle of residential development has been established through a recent Planning Inspectorate appeal decision. That decision is a material consideration in the determination of this application.

The proposal represents an appropriate windfall development, delivering a modest form of housing that is proportionate in scale and well related to existing development.



4. Appearance



Fig 2 - Google map highlighting the area

5. Beckside Vernacular

Beckside area has created its built form naturally with growth to suit the areas domestic or commercial needs, there are several different styles in the vicinity from detached, semi-detached, single & two storey properties.

There is no traditional set architectural style within the immediate area, however the design, scale and massing of the property has been carefully considered to complement the site and adjacent properties as accepted in principle through the appeal decision,

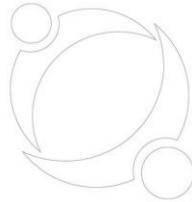
We are proposing to construct a single storey bungalow when read in the context of adjacent development to keep a consistent theme running through the streetscape.

6. Housing Character.

The style of the development is considered sympathetic to its surrounding residential development, keeping a constant theme running through the development and designed to keep the scale & massing to a minimum in line with good design parameters.

Palette of materials:

- Roof – Grey slate Roof Tiles around 30°
- Cladding, Fascia & Soffits – Anthracite finish UPVC
- External Walls – high-quality facing brick
- Windows & Doors – Anthracite UPVC, aluminium & Composite
- Plot parking and footpaths – permeable setts (black)
- Boundary walls – (see plan)
 - 1800mm timber hit & miss fence to West, North & South boundary (rear only).
 - Existing hedge (East & south) boundary
- Garden Area - Grassed (Front & Rear)



7. Secured by Design

In relation to designing out crime, we have endeavoured to keep the existing wall that provides a defensible rear & side boundary (Policy DM10 – Achieving Quality of Place) with modern compliant doors and window locking systems to PAS 24 legislation.

8. Energy Efficiency

We can confirm that the following design principles will be adopted for the development to reduce the thermal conductivity with the aid of modern insulation materials, reduced thermal bridging and improved air tightness of the dwelling, supplemented by a highly efficient energy source.

Using these principles for the dwelling design, Summary of the energy efficient construction of the dwelling: -

- Ground Floor – Concrete Slab with PUR insulation and screed
- External Walls – Cavity Wall with 150mm PUR insulation
- Roof – 150mm PIR between and 50mm PIR under - 500mm mineral fibre insulation quilt to flat ceilings areas and 150mm PIR between and 40mm PIR under rafters to sloping areas
- Windows – PVCU, double glazed, low e coating and argon filled
- Doors – Composite external doors construction

In addition to these measures the dwellings have been designed with an air tightness of >4m²/hr@50pa, this significantly exceeds the current standards set out in the Building Regulations. After the design of the external envelope of the building was finalised, the demands for heating and hot water were analysed to determine a system that would be most appropriate for the development. The proposed solution is to incorporate a highly efficient condensing boiler.

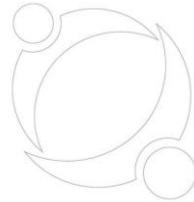
Use of low energy LED light fittings across the scheme further enhances the carbon efficiency of the development, Low flow rate taps, showers and reduced capacity cisterns all combine to further ensure efficient use of water, reducing total water demand by this residential scheme markedly.

Provision for the storage of waste recycling receptacles will be provided and a Site Waste Management Plan will be implemented during the construction phase of the development reducing the amount of waste that would be ultimately destined for landfill (Policy DM11 – Sustainable Development Standards).

9. Access

There is an existing CCC highway and CBC approved road and pedestrian access to the East elevation, the plot benefits from parking for 3-4 cars as indicated on plan 250.60m² Marshal Tegulars driveway all in accordance with manufacturers details and with the site entrance provided with full length channel drain (as plan) to prevent rainwater runoff onto highway all in line with Outline Planning Permission 4/22/2274/001, the site exists has an agreed viewing splay of 102m to the West & 132m to the East with the road being a 40mph road and using the existing site entrance.

Vehicular access will be taken from the existing established access serving Beckside Farm, which has previously been assessed and found acceptable in highway terms. The proposal will generate limited traffic associated with a single dwelling only and raises no highway safety concerns.



10. Scale

The proposed development has been designed in keeping with the Project Design Code and to replicate the scale of approved outline proposed dwellings and indicative footprint.

- Rear Garden - 412.78m²
- Front Garden - 486.70 m²
- Driveway - 250.60m²
- Plot - 1496.55m²

It is considered that the scheme respects the visual environment in which it sits and would positively enhance the locality by redeveloping the existing redundant plot, every effort has been made to ensure the scale of the proposed development reflects that of proposed neighbouring properties and the site and in the immediate location (self builds)

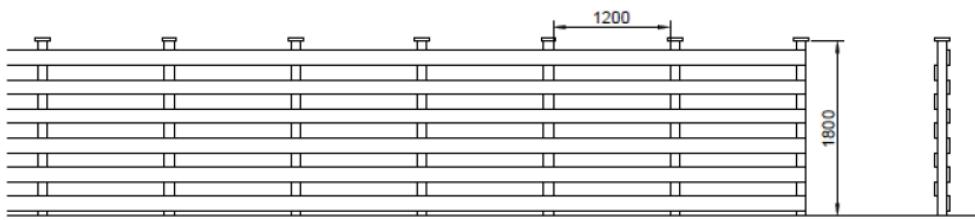
- Plot size 1496.55m²
- Dwelling size 256.50m²
- **Plot Development Ratio 17.1 %**

This development ratio is considered very low in comparison to the majority of all new builds and in line with the approved design code.

The scale of development is intentionally modest and ensures the dwelling sits comfortably within its surroundings without overdevelopment of the site.

11. Proposal (boundaries & landscaping)

We propose an 1800mm high timber post, hit & miss fence to the rear, and side boundaries (North & West), & retain existing box hedging to the front build line (1.50m) and East boundary, the front East elevation will be open as the approved Application Ref. 4/22/2247/001

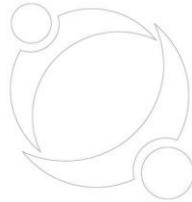


Grassed garden to front and rear and Marshall Tegular permeable sets to drive and paths of the plot as per the plans.

12. Amount

The proposed dwelling suggestions the following dimensions.

- Plot size / area – 35.000mm wide x 45.000mm deep - 1496.55m²
- Dwelling Footprint – 256.50m²
- Hard standing area - 11.000mm x 20.100mm = 250.60m²- 4 car (Parking)
- Front garden – 48.000mm x 13.000mm – 486.70 m²



- Rear Garden – 37.000mm x 11.000mm – 412.78m²
- Dwelling plan – 13.000mm x 18.500mm – 256.50m²
- 7500mm to East boundary (Charolais)
- 1350mm to West boundary (Beckside Farm)

13. Overlooking & Impact

The proposal is considered that acceptable overlooking distances would be maintained throughout the site and provide a balance which results in a good neighbourly design solution for the site in accordance with DM12,

- No first-floor gable elevation windows.
- Minimum 7500mm to boundary of adjacent property Charolais
- All WC's and bathrooms and gable windows to have obscure glazing (grade 5 translucence)

14. Environmental and geological

No evidence of contamination is known to exist at the site. Should any unexpected contamination be encountered during construction, appropriate measures will be undertaken in accordance with relevant environmental legislation and guidance.

- No ground contamination thought to be on site however the owner and ground workers **MUST** carry out a watch brief and if any contamination found it must be reported to ABC
- Foundations need inspected by Building Control, they will confirm that the property will be suitable on either a raft or reinforced strip footing – report to be finalised for Building Control)
- Full radon barrier not required.
- Surface water to be discharged into existing drainage system as shown on drainage plan.

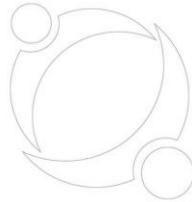
Environmental performance

The Main Contractor will be carrying out the following tests in order to ensure current environmental standards are met and ideally surpassed throughout the works.

- Air quality monitoring will be undertaken at key stages throughout the works where airborne dusts and omissions and issues could be identified.
- Noise and vibration monitoring will be undertaken to ensure acceptable levels are adhered to or surpasses and assessed throughout the works.
- Hazardous material testing where identified will be undertaken alongside specific works RAMS and requirements as per UKAS17025 and associated asbestos documentation (please see separate reports).
- The existing infrastructure has been fully tested and cleared for all residues, oils and contamination and materials from within the existing client's site information.
- Full certification and associated completion reports are included within this pack and will be confirmed prior to removal of potentially sensitive items if required or highlighted during a watch brief
- All work to be carried out in accordance with the Construction Phase Plan and Health & Safety Method Statement carried out by the contractor.

Contaminated Land

The site has no known (expressed) contamination however if any contamination was found the during the watch brief the site would require a phase 1 desk top study carried out to highlight the



necessity to carry out the phase 2 ground investigation or Phase 3 remediation as required by the Environmental Health Act Part 2A,

Sound

To Be Kept to a minimum throughout the works. Where excessive noise is required for short periods, this works should be undertaken between the hours of 8am-5pm.

Road Cleaning

To be conducted pro-actively throughout the works if required using mechanical sweeping if required

Air Quality/Dust Management

All Operatives to wear suitable RPE and PPE throughout the works. Pre-dampening and pre-cleaning will minimise the potential for dust nuisance.

Water usage should be restricted to just enough to dampen the area and not cause undue water to run off or damage.

Excess water to be controlled and sifted prior to be directed to surface water drainage. Water usage is to be monitored throughout the works by the site supervisor.

Waste (including Hazardous)

All waste will leave site as per the current Hazardous Waste Regulations 2009 and be disposed on in a safe manner to the required landfill – Main contractor's responsibility.

Water Courses and Groundwater

No water courses currently would be affected within the site boundary

15. BNG Exemption Statement

This application is exempt from the mandatory requirement to deliver Biodiversity Net Gain (BNG) on the basis that it constitutes de minimis development as defined under Schedule 7A of the Town and Country Planning Act 1990.

Legislative Context

Mandatory Biodiversity Net Gain was introduced by Schedule 7A of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021, and applies to planning permissions granted on or after 12 February 2024, unless a statutory exemption applies.

Schedule 7A makes provision for exemptions where development is de minimis, including circumstances where the development affects land of negligible biodiversity value and does not impact upon any priority habitat.

Site Baseline Condition

The application site comprises previously disturbed land associated with Beckside Farm, characterised by:

- Made ground and spoil mounds;
- Areas of compacted and bare ground;
- Absence of semi-natural vegetation;
- No ecological designations; and
- No evidence of priority habitats or species.



These site conditions were expressly recognised by the Planning Inspector in the appeal decision relating to the wider site, who described the land as disturbed ground, rather than undeveloped countryside.

In biodiversity metric terms, the land falls within the category of developed / bare ground of very low distinctiveness, generating negligible baseline biodiversity units.

De Minimis Assessment

The proposed development affects land of negligible biodiversity value, with no priority habitat present and no measurable biodiversity units capable of being lost or enhanced.

As such:

- The development does not result in any meaningful biodiversity loss;
- There is no viable baseline against which a 10% net gain could be calculated; and
- The proposal meets the definition of de minimis development under Schedule 7A.

In these circumstances, the preparation of a Biodiversity Metric calculation or Biodiversity Gain Plan would serve no practical or policy purpose.

Conclusion on BNG

For the reasons set out above, the proposal is lawfully exempt from the mandatory requirement to deliver Biodiversity Net Gain. The absence of a biodiversity metric or gain plan is fully justified in legislative, technical and planning terms, and the application is capable of being validated and determined on this basis.

16. Drainage

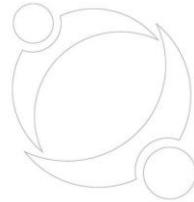
Foul and surface water drainage will be provided in accordance with the submitted drainage drawings and Approved Document Part H of the Building Regulations. Detailed design, levels and specifications will be finalised through the Building Regulations process.

The site also benefits from a separate drainage system (surface and foul water) see plan for location of on-site drains, it is intended that the foul and surface water would be laid around the property to facilitate or proposal.

The foul and surface water layout will be as drainage plan, the drains will/do consist of the following.

- 100mm waving plastic drainage system
- 100mm concrete encasement (where required for protection) or full bedded in pea gravel
- Foul drainage 1:60-80 falls minimum
- Surface water drainage 1:75-1-100 falls minimum
- 450mm PPIC Inspection chambers at change of gradient and direction
- 3-bedroom dwelling = 6 people x 200lt per person per day = Total 1200lt per day norm

ALL DRAINAGE WILL BE INSTALL AS APPROVED DOCUMENT PART H



Drainage Pipes to be 100mm Plastic Pipe Laid in accordance with Approved Document Part H (Assume FFL = 10.000)				
Surface Water Drainage				
Chamber Name	Invert Level	Cover Level	Distance	Fall
S1	8.500	9.350	-	-
S2	8.900	9.850	25,200 mm	1/62
S3	8.750	9.650	19,400 mm	1/77
S4	9.150	9.850	22,200 mm	1/55
Foul Water Drainage				
Chamber Name	Invert Level	Cover Level	Distance	Fall
F1	8.200	9.350	-	-
F2	8.700	9.850	25,400 mm	1/50
F3	8.900	9.850	7,800 mm	1/33
F4	8.400	9.850	7,000 mm	1/35
F5	8.700	9.850	13,500 mm	1/45
F6	8.900	9.850	6,000 mm	1/30

17. Local & National Planning Policy

The proposal accords with the development plan when read as a whole, including the Copeland Local Plan and the emerging Cumberland Local Plan (2024 Reg 19 Draft). Key relevant policies include S1 (Sustainable Development), S3 (Settlement Hierarchy), S4 (Design Principles), S7 (Housing Mix), S29 (Flood Risk), S30 (Re-use of Land), DM12 (Sustainable Construction) and DM14 (Standards of Good Design). The scheme also supports NPPF §§ 8, 11, 126–136 and 130 by optimising a previously-developed site within a sustainable rural settlement

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.

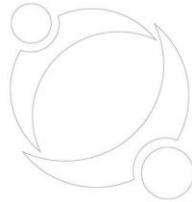
Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

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 (adopted by Cumberland Council):

Policy ST1	Strategic Development Principles
Policy ST2	Spatial Development Strategy
Policy ST3	Strategic Development Priorities
Policy ER2	Planning for the Renewable Energy Sector
Policy ER5	Improving the Quality of Employment Space
Policy SS1	Improving the Housing Offer
Policy SS2	Sustainable Housing Growth
Policy SS3	Housing Needs, Mix and Affordability
Policy ENV1	Flood Risk and Risk Management
Policy ENV3	Biodiversity and Geodiversity

**Policy ENV5** Protecting and Enhancing the Borough's Landscapes**The National Planning Policy Framework****Paragraph 7: Purpose of Planning**

The NPPF's primary goal is to achieve sustainable development. Developing on infill land can be seen as promoting efficient use of available land, helping to deliver more homes while reducing urban sprawl.

Paragraph 8: Achieving Sustainable Development

This paragraph outlines the economic, social, and environmental roles of sustainable development. New dwellings on infill land can contribute to housing supply and enhance the vitality of rural communities

Paragraph 11: Presumption in Favour of Sustainable Development

Local planning authorities should apply a presumption in favour of sustainable development. Infill development, especially in established residential areas, aligns with this principle.

Paragraph 50 means that local authorities must "...deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities..."

Paragraph 60: Boosting the Supply of Homes

The government is committed to significantly boosting the supply of homes. Developing infill plots helps to meet housing needs without expanding into undeveloped countryside, aligning with local housing requirements.

Paragraph 61 sets out that in order to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals

Paragraph 69: Use of Small and Medium-Sized Sites

This paragraph encourages the use of small and medium-sized sites for housing, including infill developments. Local planning authorities are required to support opportunities to bring forward sites like the one between two existing dwellings.

Paragraph 71: Windfall Sites

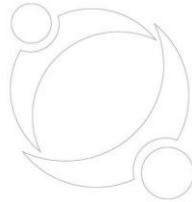
Development of infill land can be considered as a "windfall site," which refers to sites not specifically identified in a local plan but that become available for development. The NPPF supports the development of such sites if they are within existing settlements and make effective use of land.

Paragraph 73 Local planning authorities should support the development of exception sites for community-led development³⁶ (as defined in Annex 2) on sites that would not otherwise be suitable as rural exception sites. These sites should be on land which is not already allocated for housing and should:

b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework³⁸, and comply with any local design policies and standards.

Paragraph 80 (e): promotes reuse of redundant or disused buildings.

Paragraph 82 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where



there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 119: Making Effective Use of Land

Local planning policies and decisions should promote the effective use of land. Developing infill plots maximizes the use of already built-up areas, especially in a location where land may be constrained.

Paragraph 124: Achieving Appropriate Densities

Development should be optimized to provide housing at appropriate densities, particularly in areas well-served by infrastructure. Infill development can help maintain the character of an area while also contributing to housing supply.

Paragraph 126: Achieving Well-Designed Places

The design of new dwellings should contribute positively to the character and quality of the area. This is crucial for an infill development, which must respect the appearance and layout of the surrounding properties.

Paragraph 130: Good Design

New developments should add to the overall quality of the area and be visually attractive and sympathetic to local character. For an infill development between two existing dwellings, this would involve careful design to match the scale and appearance of neighbouring buildings.

Paragraph 174: Conserving and Enhancing the Natural Environment

This paragraph requires the planning process to protect and enhance valued landscapes. Infill development can protect the wider countryside by using land efficiently within the existing settlement boundary.

Paragraph 79: Rural Housing

For rural areas, the NPPF encourages housing development where it will enhance or maintain the vitality of rural communities. Infill development in a rural village like Distington can contribute to this goal by providing housing while maintaining the village character.

Paragraph 105: Locating Development

Encourages locating development where it reduces the need to travel, and promotes the use of public transport and walking. Infill development tends to be more sustainable in terms of transport links, as it usually occurs in established residential areas.

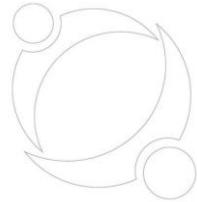
18. Conclusion

This application seeks planning permission for one single-storey dwelling on land at Beckside Farm, Distington. The proposal is modest in scale, carefully sited, and designed to respond positively to the site's edge-of-settlement context.

The site lies wholly within Flood Zone 1, as defined by the Environment Agency Flood Map for Planning, and is therefore located in an area of low probability of flooding. The proposal does not introduce development into land at flood risk, nor will it increase flood risk elsewhere.

The principle of residential development on the site has already been accepted through a recent appeal decision. The current proposal represents a clear betterment over the previously approved scheme by:

- Reducing the number of dwellings to one;

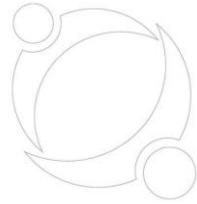


- Limiting development to a single-storey form;
- Minimising visual impact and landscape change; and
- Providing a form of development that sits comfortably alongside existing residential properties.

The proposal accords with the overarching aims of the adopted Copeland Local Plan, particularly in relation to delivering sustainable development, supporting the local housing offer, and ensuring that development is appropriate in scale, design and location.

When assessed against the Development Plan as a whole, and having regard to all other material considerations, including the appeal decision, the proposal represents sustainable development in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the policies of the National Planning Policy Framework.

For these reasons, it is respectfully concluded that the proposal is acceptable in planning terms and that planning permission should be granted.



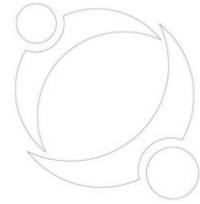
19. Appendices

Photograph 1 – Aerial site view South to North



Photograph 2 – Aerial site view North to South





Proposed Detached Bungalow

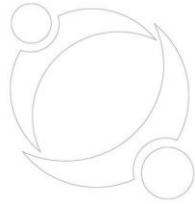
DAS-001

Photograph 3 – Aerial site view East to West



Photograph 4 – Aerial site view West to East





Proposed Detached Bungalow

DAS-001

Photograph 5 – Aerial Plan View – 120m



Photograph 6 – Aerial Plan View – 60m



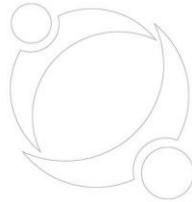


Fig 3 - Copeland Borough Council – Outline Planning Permission 4/22/2274/001 – Approved.



The Planning Inspectorate

Appeal Decision

Site visit made on 6 June 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 18 August 2023

Appeal Ref: APP/Z0923/W/23/3314416

Beckside Farm, Distington CA14 4QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by Mr Keith Adams against Copeland Borough Council.
- The application Ref 4/22/2274/001, is dated 24 June 2022.
- The development proposed is described as 'residential development of two dwellings.'

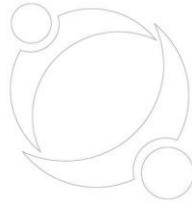
Decision

1. The appeal is allowed, and outline planning permission is granted for proposed residential development of two dwellings with details of proposed access and all other matters reserved at Beckside Farm, Distington CA14 4QY in accordance with the terms of the application, Ref 4/22/2274/001, dated to 24 June 2022, subject to the conditions in the schedule attached to this decision.

Preliminary Matters

2. The description in the banner heading above is taken from the planning application form. However, the description used by the Council and included on the appeal form states 'outline application for proposed residential development of two dwellings with details of proposed access and all other matters reserved.' As this does not change the development for which planning permission is sought, I have used this revised wording which provides a more accurate description of the proposal.
3. Therefore, based on this description, matters relating to layout, scale, appearance and landscaping are reserved for subsequent approval. A site location plan showing the position of the access with an indicative plan showing the possible layout of two dwellings has been submitted. A plan showing visibility splays was submitted at a later date.
4. The Council has indicated that the emerging Copeland Local Plan, 2017-2038 has been subject to an independent examination by an Inspector. The Local Plan is therefore at an advanced stage and so some weight can be given to the policies.
5. The Council has also stated that from 1 April 2023, Copeland Borough Council ceased to exist, and it is now part of the unitary authority, Cumberland Council. This has no effect, however, on the determination of this appeal.

<https://www.gov.uk/planning-inspectorate>



Appeal Decision APP/Z0923/W/23/3314416

Main Issues

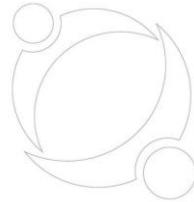
6. The appeal is against the failure of the Council to determine the planning application. The Council have produced putative reasons for refusal and from these I consider that the main issues are:
 - The suitability of the proposal in this location, given policies relating to open countryside and the settlement boundary; and
 - The effect of the proposal on the character and appearance of the site and the surrounding area.

Reasons

Location

7. The appeal site is stated by the parties to be between 160 and 200 metres from the Distington settlement boundary and is therefore classified as being in the open countryside. Distington is defined as a Local Centre in Policy ST2 of the Copeland Local Plan 2013-2028, Core Strategy and Development Management DPD (CS). It is reputed to have a primary school, shops and a public house. A bus stop is close to the site. Therefore, whilst the site is outside the settlement boundary, contrary to Policy ST2, it is in close walking distance along a pavement to the centre of Distington, where there are services and facilities and transport to other centres in the area.
8. The Council produced in 2023 a 5 Year Housing Land Supply Statement which has demonstrated a 7.1 year supply of deliverable housing sites against the emerging housing requirement. However, the Emerging Copeland Local Plan (ECLP) has stated that in order to meet the housing needs identified from the Strategic Housing Market Assessment (SHMA), that development outside the settlement boundaries will be required. Consequently, Policy ST2 is considered out-of-date.
9. Policy DS3PU of the ECLP continues to identify Distington as a local service centre, and the appeal site remains outside the settlement boundary under Policy DS4PU. This policy does however state that in order that allocated sites are not prejudiced, development outside settlement boundaries will only be accepted where: 1) the proposal is for housing and; a) the site is well related and directly adjoins the settlement boundary of a town or local service centre; and b) the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and the Council is unable to demonstrate a 5-year supply of deliverable housing sites or there has been previous under-delivery of housing against the requirement for 3 years. Whilst the policies in the ECLP have only limited weight at this stage, the appeal site, although not directly adjoining the settlement boundary, it is physically connected to it by a safe pedestrian route and is well related to it.
10. The policies in the LP seek to protect the countryside from inappropriate development. Whilst there is conflict with these policies, however, I attribute limited weight given the sustainable location of the appeal site and that the policies are deemed out-of-date by reason of paragraph 11(d) being engaged.

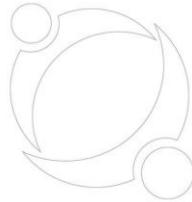
Character and appearance



Appeal Decision APP/Z0923/W/23/3314416

11. The site is formerly part of Beckside Farm, and there are two properties currently on the site, Beckside, and a detached house under construction between Beckside and the appeal site. To the other side of the site is a detached dwelling, 'Charolais'.
12. The site is located adjacent to a lay-by, separated from the adjacent road by a central, wide, elliptical, grass verge. Beckside, and the dwelling under construction is accessed just over the bridge, close to where the lay-by begins, with the appeal site proposing to use an existing field gate and join the carriageway opposite the entrance to the site. The site is in an area of countryside between the road and Distinguon Beck.
13. Whilst the proposal is in outline only, with only access to be considered, an indicative block plan has been submitted showing two dwellings, with proposed parking and turning to the front, and the position of the access road. Both parties have commented on the scale of dwellings that may be appropriate, although the position of the existing houses on the site and 'Charolais' to the other side would ensure that the scale would be appropriate to its context.
14. The Council refers to The Cumbria Landscape Character Guidance and Toolkit (CLCT) defining the site as 'Urban fringe' whilst The Copeland Landscape Settlement Study (CLSS) characterises the areas as 5Dii Distinguon Valley Sides, with the 'intimate valley landscape to the east of Distinguon is sensitive to development', where the appeal site is located. Notwithstanding this, the proposal is for two dwellings which sit within a former farmstead and are between existing properties. As the topography of the site changes to the rear of the proposal, and the dwellings would be likely set lower than the adjacent road, housing could be designed appropriately that would not harm the character of the site and surrounding landscape.
15. As I saw on my visit, the site has mounds of soil, with stone and materials on it. The site, does, however, have a continuous, high, traditional hedgerow, along the front of the site. As the access point where it adjoins the main road is forward of the entrance to the site, the visibility splay does not include the front boundary of the site. Therefore, the retention of the majority of this hedgerow would appear to be possible which would retain the rural character of the site.
16. Furthermore, as the proposal would be on disturbed ground adjacent to other dwellings, both within the site, and the adjoining 'Charolais', it would not extend development further into the countryside, which would reduce their visual prominence. By retaining the hedgerow and introducing landscaping appropriate for a rural location, the general character of the landscape would not be harmed.
17. Therefore, two dwellings could be located on this site which would not harm the character and appearance of the site and the surrounding area. It would accord with Copeland Local Plan Policy ST1 which amongst many principles seeks to meet the needs and aspirations of the Borough's housing markets; and Policy ENV5 which seeks to protect landscapes from inappropriate change. Furthermore, Policy DM26 ensures that proposals should reinforce landscape character and mitigate against any adverse impact.

Planning Balance



Appeal Decision APP/Z0923/W/23/3314416

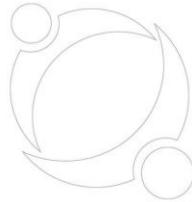
18. The proposal would not harm areas or assets of particular importance and provide a clear reason for refusing the development as set out in paragraph 11d) i of the National Planning Policy Framework (the Framework). Therefore, paragraph 11d) ii of the Framework is relevant in that consideration must be given as to whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
19. The proposal would be contrary to LP Policy ST2 as it is outside the settlement boundary where the protection of the countryside is sought. However, I attach limited weight to conflict with this policy arising due to the location of development, as the proposal would be in a sustainable location and the policy is deemed out-of-date. The retention of the mature hedgerow would ensure that the character and appearance of the site can be retained, and any initial harm can be overcome by appropriate landscaping.
20. The benefits of the proposal would help the government's objective to boost the supply of homes, and even if it does double the number of houses on this site, small sites can provide a limited but important contribution to meeting the housing needs of an area. The proposal would provide some economic benefits during the construction phase and from spending and support by the occupants contributing to the local community and support services. I attach significant weight to these overall benefits.
21. In conclusion, I find that the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development applies. Whilst the proposal would not be in accordance with LP Policy ST2, the proposed development would provide a suitable location for housing in this instance, and sustainable development in accordance with the NPPF.

Other Matters

22. The site is in flood zone 1 and so a Flood Risk Assessment is not required. Details of how surface or foul water would be discharged has not been provided but the Council consider that a condition would satisfy this issue.
23. The Highway Authority, following the submission of a plan showing the access from the main road and visibility splays has no objection to the proposal. The plan has shown that appropriate access to the site can be achieved which I give significant weight to.

Conditions

24. I have considered the suggested conditions from the Council and where necessary I have made amendments to these in the interests of clarity and precision. I have imposed standard conditions relating to the submission and timing of the reserved matters application(s) and the commencement of development. I have also imposed a condition specifying the relevant plans in the interest of certainty.
25. A condition limiting the development to two houses is considered necessary. As details of the treatment of foul and surface water has not been provided, a condition ensuring that these are on separate systems and a further condition requiring how surface water will be dealt with is relevant and necessary.



Appeal Decision APP/Z0923/W/23/3314416

26. The surfacing of the driveway to ensure that loose material does not extend onto the adjoining highway is necessary, and whilst there is currently no fence, wall or boundary where the access adjoins the highway, ensuring that there is appropriate visibility is relevant and necessary.

Conclusion

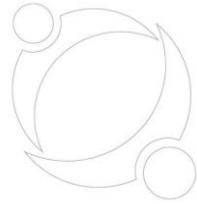
27. Therefore, for the reasons given, and having regard to all other matters raised, I conclude that the appeal is allowed.

M J Francis

INSPECTOR

Schedule of conditions

- 1) Details of the layout, scale, appearance and landscaping (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: 'Site location plan'; and 'Visibility splays'.
- 5) The site hereby approved for development must not exceed two residential properties.
- 6) Prior to the commencement of development hereby approved, a full surface water drainage scheme, including attenuation measures, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and shall thereafter be retained for the lifetime of the development.
- 7) The access drive must be surfaced in bituminous or cement bound materials or otherwise bound and must be constructed and complete before the development is brought into use. This surfacing must extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.
- 8) Any existing highway fence/wall boundary must 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 the development is brought into use and must not be raised to a height exceeding 1.05m thereafter.



Appeal Decision APP/Z0923/W/23/3314416

- 9) Foul and surface water must be drained on separate systems.

End of conditions

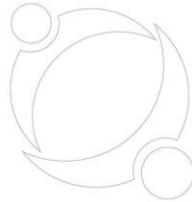
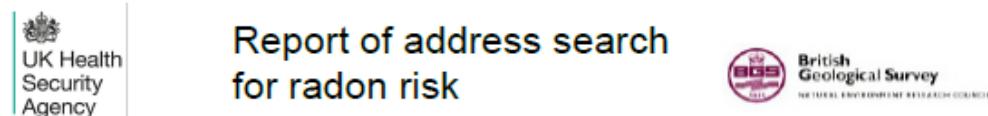


Fig 4 – Radon Report



Issued by UK Health Security Agency and British Geological Survey. This is Based upon Crown Copyright and is reproduced, where applicable, with the permission of Land & Property Services under delegated authority from the Controller of His Majesty's Stationery Office, © Crown copyright and database right 2014MOU512.

Address searched: Beckside Farm, Distington, Workington, CA14 4QY

Date of report: 4 January 2026

Guidance for existing properties

Is this property in a radon Affected Area? - Yes

A radon Affected Area is defined as where the radon level in at least one property in every hundred is estimated to be at or above the Action Level.

The estimated probability of the property being above the Action Level for radon is: 1-3%

The probability result is only valid for properties above ground. All basement and cellar areas are considered to be at additional risk from high radon levels.

The result may not be valid for buildings larger than 25 metres.

If this site if for redevelopment, you should undertake a GeoReport provided by the British Geological Survey.

This report informs you of the estimated probability that this particular property is above the Action Level for radon. This does not necessarily mean there is a radon problem in the property; the only way to find out whether it is above or below the Action Level is to carry out a radon measurement in an existing property.

Radon Affected Areas are designated by the UK Health Security Agency. UKHSA advises that radon gas should be measured in all properties within Radon Affected Areas.

If you are buying a currently occupied property in a Radon Affected Area, you should ask the present owner whether radon levels have been measured in the property. If they have, ask whether the results were above the Radon Action Level and if so, whether remedial measures were installed, radon levels were re-tested, and the results of re-testing confirmed the effectiveness of the measures.

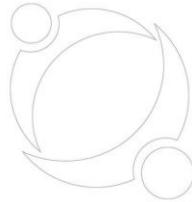
Further information is available from UKHSA or <https://www.ukradon.org>

Guidance for new buildings and extensions to existing properties

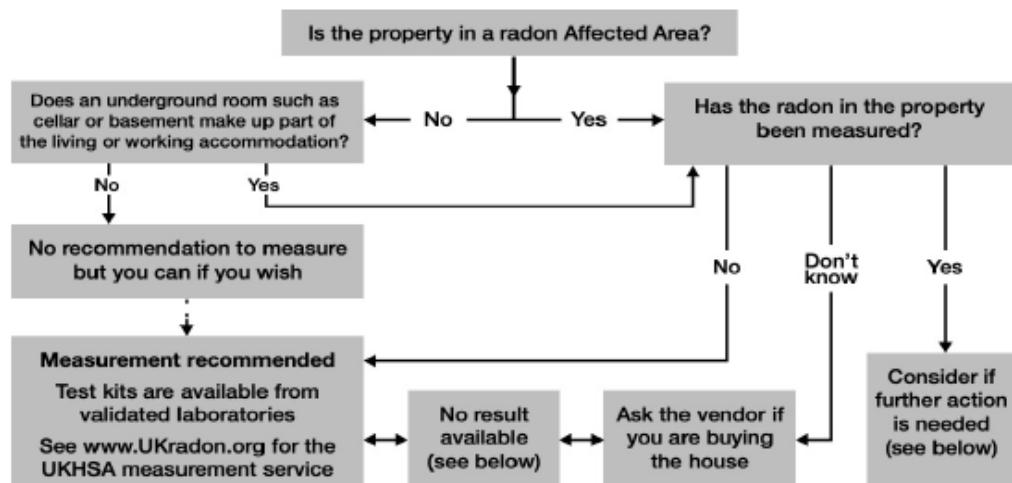
What is the requirement under Building Regulations for radon protection in new buildings and extensions at the property location? - None

If you are buying a new property in a Radon Affected Area, you should ask the builder whether radon protective measures were incorporated in the construction of the property.

See the Radon and Building Regulations for more details.



UKHSA guidance for occupiers and prospective purchases



Existing radon test results: There is no public record of individual radon measurements. Results of previous tests can only be obtained from the seller. Radon levels can be significantly affected by changes to the building or its use, particularly by alterations to the heating and ventilation which can also be affected by changes in occupier. If in doubt, test again for reassurance.

Radon Bond: This is simply a retained fund, the terms of which are negotiated between the purchaser and the vendor. It allows the conveyance of the property to proceed without undue delay. The purchaser is protected against the possible cost of radon reduction work and the seller does not lose sale proceeds if the result is low. Make sure the agreement allows enough time to complete the test, get the result and arrange the work if needed.

High Results: Exposure to high levels of radon increases the risk of developing lung cancer. If a test in a home gives a result at or above the Action Level of 200 Becquerels per cubic metre of air (Bq/m³), formal advice will be given to lower the level. Radon reduction will also be recommended if the occupants include smokers or ex-smokers when the radon level is at or above the Target Level of 100 Bq/m³; these groups have a higher risk. Information on health risks and radon reduction work is available from UKHSA. Guidance about radon reduction work is also available from some Local Authorities, the Building Research Establishment and specialist contractors.

UKHSA designated radon website: <https://www.ukradon.org>
Building Research Establishment: <http://www.bre.co.uk/page.jsp?id=3137>

© Crown copyright UK Health Security Agency 2022

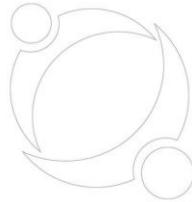


Fig 5 – Flood Map (Environment Agency)



Flood map for planning

Your reference
Mr & Mrs Clark

Location (easting/northing)
301078/523758

Created
4 January 2026 10:15

Your selected location is in flood zone 1, an area with a low probability of flooding.

You will need to do a flood risk assessment if your site is any of the following:

- bigger than 1 hectare (ha)
- in an area with critical drainage problems as notified by the Environment Agency
- identified as being at increased flood risk in future by the local authority's strategic flood risk assessment
- at risk from other sources of flooding (such as surface water or reservoirs) and its development would increase the vulnerability of its use (such as constructing an office on an undeveloped site or converting a shop to a dwelling)

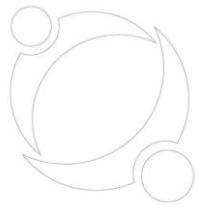
Notes

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

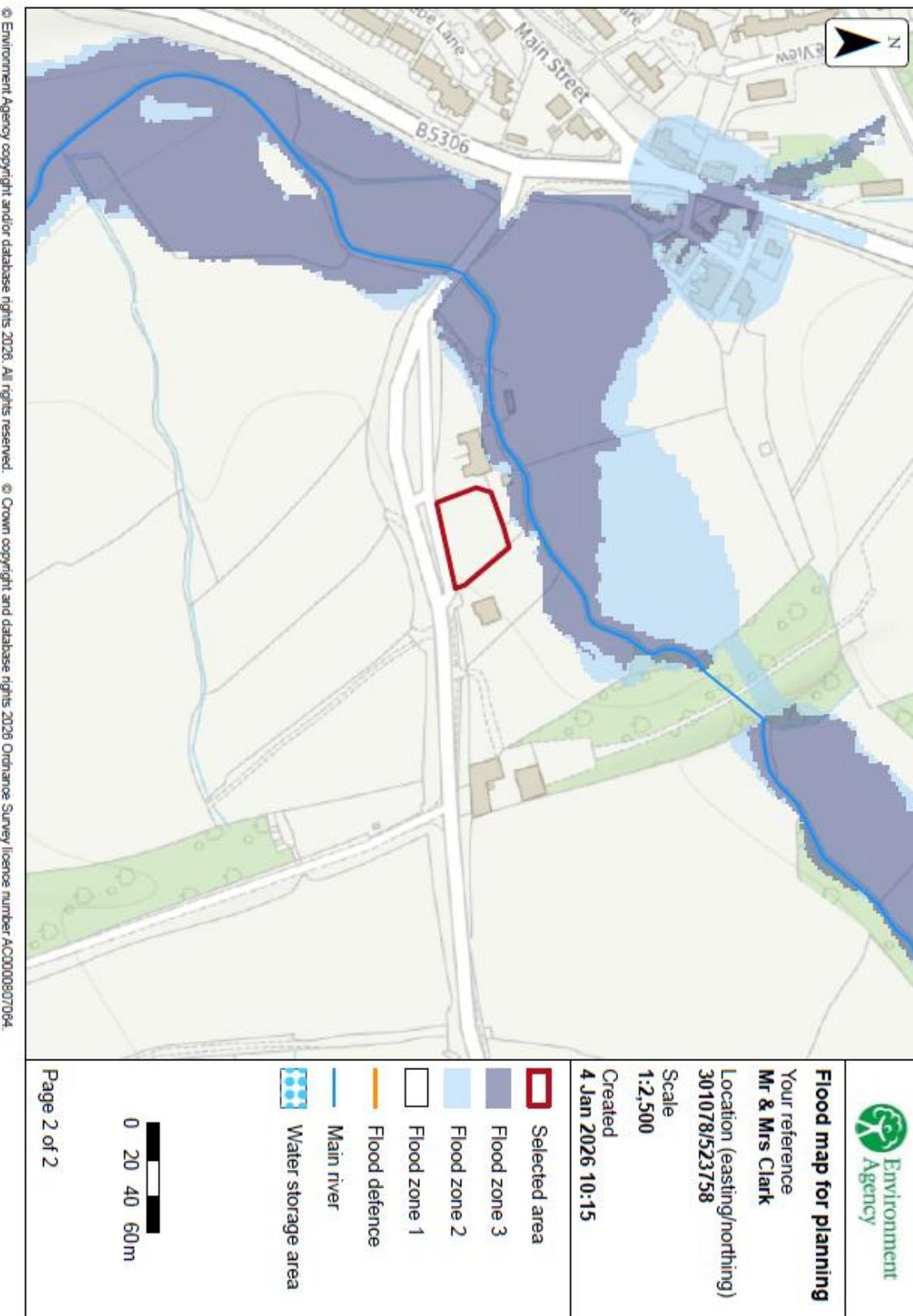
Flood risk data is covered by the Open Government Licence which sets out the terms and conditions for using government data. <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3>

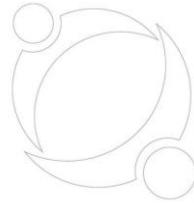
Use of the address and mapping data is subject to Ordnance Survey public viewing terms under Crown copyright and database rights 2026 AC0000807064. <https://flood-map-for-planning.service.gov.uk/os-terms>



Proposed Detached Bungalow

DAS-001

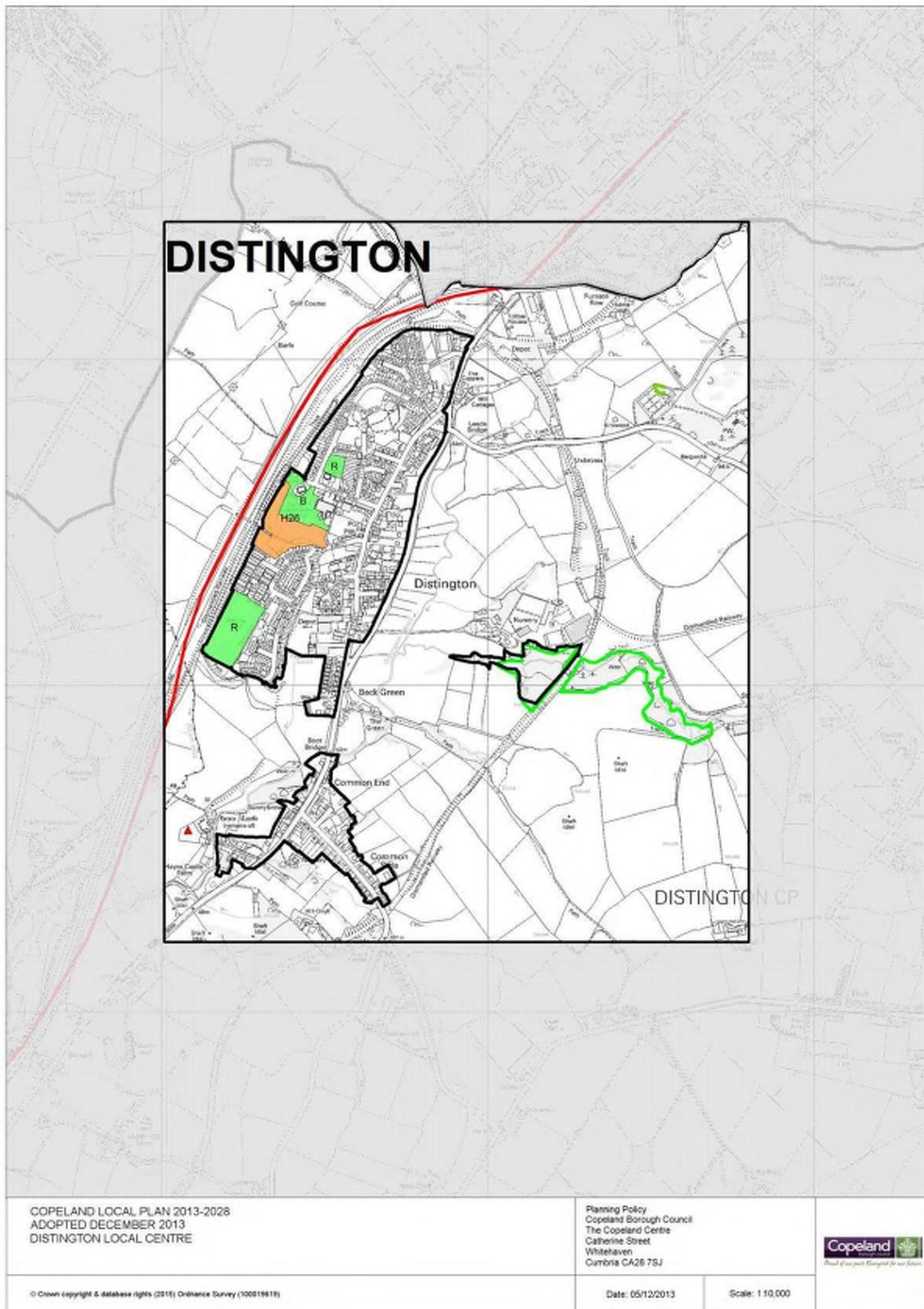




Proposed Detached Bungalow

DAS-001

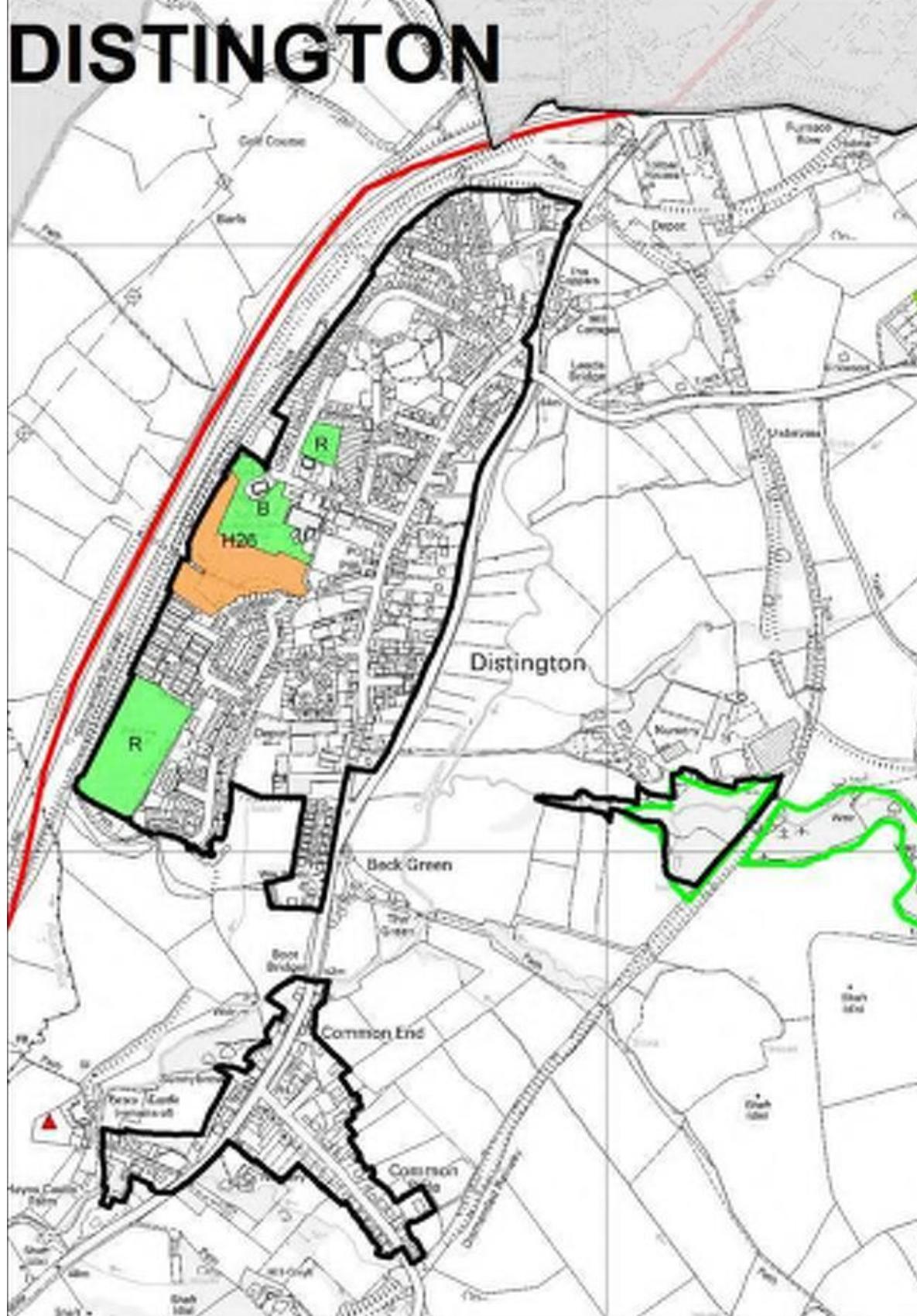
Fig 6 – Planning Settlement Map



Proposed Detached Bungalow

DAS-001

DISTINGTON





Proposed Detached Bungalow

DAS-001

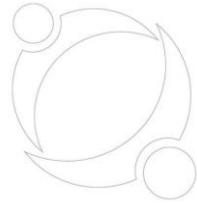
Fig 8 – Proposed Materials Use

1.8m timber hit and miss fence to rear side boundaries



Anthracite facia, soffits, windows and doors





Proposed Detached Bungalow

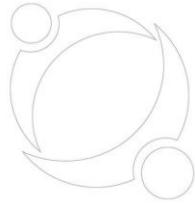
DAS-001

Cedar Cladding & White K-Reend walls



Marshall Tegula Permeable Setts to Driveway & Paths





THE END