



Planning, Design and Access Statement

New House Farm, Drigg

NDA Properties Limited

May 2024

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For and on behalf of Avison Young (UK) Limited

1. Introduction

- 1.1 This Planning, Design and Access Statement has been prepared by Avison Young on behalf of Nuclear Decommissioning Authority ('the Applicant') to assist Cumberland Council ('the Council') in its consideration of the accompanying outline planning application for the erection of two modern agricultural sheds with a combined net internal area (NIA) of 1,003.36sqm, and a new build farmhouse at New House Farm, Drigg ('the Site').
- 1.2 This Statement examines the application against section 38(6) of the Planning and Compulsory Purchase Act (2004). It discusses how the development proposals conform to local and national planning policy requirements.

Application Documentation

- 1.3 This Statement should be read alongside the following supporting documentation:

Reports and Assessments

- Application Forms (Avison Young);
- Planning, Design and Access Statement;
- Ecological Constraints Study (Biome); and
- Flood Risk Assessment and Drainage Strategy (Avison Young).

- 1.4 Drawings and Plans

- PO1 Location Plan;
- P02A Site Plan Existing;
- P03A Site Plan Proposed;
- P04 Use Parameter Plan;
- P05 Vertical Limitations Parameter Plan; and
- P06 Quantum Parameter Plan.

Statement Structure

- 1.5 This Statement is structured as follows:
- Chapter 2 'Site and Surroundings' – provides an overview of key features of the application site and its location.
 - Chapter 3 'Development Proposals' – provides details of the development for which permission is sought.

- Chapter 4 'Planning Policy Context' – provides an overview of local and national planning policy that has informed the proposals.
- Chapter 5 'Design and Access' – provides an explanation of the principles behind the choice of development zones and how these provide the need for appropriate access and will inform the detailed layout of the proposal.
- Chapter 6 'Planning Assessment' – provides discussion on the key planning matters and how the proposals accord with policy requirements.
- Chapter 7 'Conclusion' – provides a summary of the development proposals and the key material planning considerations.

2. Site and Surroundings

Application Site

- 2.1 Drigg is situated in the south west of the Cumberland Council administrative region, located within the Copeland Borough. It lies approximately 5km south-east of Seascale and 8km south-east of Sellafield Nuclear Site. The village is served by the B5344 which links to the A595 – one of the key primary routes in Cumbria- connecting a number of key settlements in the County including Workington, Whitehaven, Carlisle and Barrow.
- 2.2 The Site is located to the south of the B5344 and to the east of 'Station Road', which is located within the village of Drigg, approximately 200m north-east of Drigg railway station. The Site is accessible by vehicle via 'Station Road' which runs adjacent to the western boundary of the site.
- 2.3 The application site extends to approximately 0.76ha and is roughly rectangular in shape. The Site is under a continuous long-term lease for agricultural use and contains several agricultural buildings including a farmhouse; cattle shed; barn; piggery; workshop; and concrete outbuilding.
- 2.4 In February 2024, Prior Approval was obtained for the demolition of the existing agricultural buildings at the Site (application reference: 4/24/2008/0F1). The approval comprises the demolition of a cattle shed, dutch barn, stone barn, piggery, farmhouse and outbuilding at the site. Within this application it was noted that no structure at the Site was listed, nor does the Site lie within a Conservation Area.
- 2.5 Site boundaries comprise of:
- To the north, the B5344, with trees and grassland located beyond;
 - To the west, Station Road and grassland beyond;
 - To the east, residential properties and Grade II Listed Drigg Hall approximately 70m from the application site; and
 - To the south, residential properties and grassland.

Technical Considerations

- 2.6 With regards to technical considerations the application area:
- Does not contain any Listed buildings, scheduled ancient monuments, registered parks and gardens, registered battlefields or conservation areas although it is acknowledged that the Grade II Listed Drigg Hall lies c70m to the east.

- According to the Environment Agency Flood Map, the site is wholly within Flood Zone 1 which indicates a low probability of flooding and is therefore suitable to accommodate the proposed uses from a flood risk perspective.
- There are no statutory or non-statutory ecologically designated sites within the site boundary there are however, two statutory designated sites within 2km:
 - SSSI Drigg Holme, 500m distance from site
 - SSSI Hallsenna Moor, 1km distance from site
- The site is not within an Air Quality Management Area.
- The Site is not in a High Landscape Value Area or within an Area of Outstanding Natural Beauty.

3. Development Proposals

- 3.1 This application is submitted in outline with only access sought for approval, all other matters are reserved for determination at a later date. Outline planning permission is sought for:

“Erection of two modern agricultural sheds and farmhouse building (all matters reserved except for access).”

- 3.2 In summary, the development comprises the following:

- Two Modern agricultural sheds with a proposed combined Net Internal Area (NIA) of 1,004sqm; and
- Replacement farmhouse building to be built in line with the footprint and height of the existing farmhouse building.

- 3.3 This application does not provide details of proposed appearance, layout, scale or landscaping of the proposals. To support the consideration of the proposal, this application provides three parameter plans demonstrating the proposed uses, vertical limitations and quantum of the development.

- 3.4 In February 2024, Prior Approval was obtained by the applicant for the demolition of the existing farmhouse and agricultural buildings at the Site (application reference: 4/24/2008/0F1). This application was submitted following the withdrawal of Prior Notification application 4/23/2298/0F1 due to outstanding comments from Natural England and concerns raised by the Conservation and Design Officer at Cumberland Council.

- 3.5 The Conservation and Design Officer provided comment on application 4/23/2298/0F1 stating that although some of the existing buildings were in poor structural condition, in other places they were in reasonable condition. It was noted that there was particular scope for refurbishing the site or combining the existing buildings with new build agricultural buildings. Drigg and Carleton Parish Council also commented on application 4/23/2298/0F1 requesting details on the applicant's intentions to rebuild the property.

- 3.6 Following withdrawal of the initial Prior Approval application, Avison Young attended an online meeting on 8 December 2023 on behalf of the applicant to discuss the proposals at New House Farm with representatives of Cumberland Council. It was requested that a revised Prior Notification of Demolition application was submitted that outlined the applicants' intentions to redevelop the site following the demolition of the farmhouse and associated agricultural buildings.

- 3.7 The revised application provided a Proposed Redevelopment Block Plan outlining details of the proposed uses of the redeveloped site. In the supporting letter it was set out that the property is under a continuous long-term lease for agricultural use and the redevelopment of the Site is necessary to ensure that the farm can continue to be utilised for agricultural activity.

4. Planning Policy Context

Legislative Context

- 4.1 The Town and Country Planning Act (1990), Planning and Compulsory Purchase Act (2004) is relevant to the consideration of this application.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

National Planning Policy

- 4.3 The National Planning Policy Framework (NPPF) (December 2023) sets out the Government's planning policies for England and how these should be applied and is a material consideration in the determination of the accompanying planning application. The most pertinent policies relating to the principle of development at the site are set out below.

The Presumption in Favour of Sustainable Development

- 4.4 The NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three objectives which are interdependent and need to be pursued in mutually supportive ways:
- Economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity;
 - Social objective – to support strong, vibrant and healthy communities, by providing a range of homes and by fostering well-designed, beautiful and safe places, with accessible services and open spaces; and
 - Environmental objective – to protect and enhance the natural, built and historic environment, improving biodiversity, minimising waste and adapting to climate change.
- 4.5 Paragraph 9 confirms that these objectives should be delivered through the implementation of Plans and the application of policies in the NPPF; however, they are not criteria against which every decision can or should be judged.
- 4.6 Paragraph 10 states that “at the heart of the Framework is a presumption in favour of sustainable development”. For decision-taking this means:

- "c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Building a strong, competitive economy

- 4.7 Paragraph 88 (b) states that to support a prosperous rural economy, planning policies and decisions should enable "the development and diversification of agricultural and other land-based rural businesses.
- 4.8 Paragraph 89 stipulates "planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport." It will be important to ensure that development in these circumstances is sensitive to its surroundings, while not having an unacceptable impact on local roads. Paragraph 85 further states that "the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

Making Effective use of Land

- 4.9 Paragraph 123 sets out that "planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."

Achieving Well Designed Places

- 4.10 Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.11 Paragraph 135 requires planning policies and decisions to ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

- 4.12 Paragraph 136 highlights the importance of trees to the character and quality of urban environments, and how they can also help mitigate and adapt to climate change. It sets out that planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

Planning and Flood Risk

- 4.13 Paragraph 165 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Conserving and Enhancing the Natural Environment

- 4.14 NPPF Paragraph 180 notes that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity value whilst minimising impacts on and providing net gains for biodiversity. The intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland should also be recognised.

Planning Practice Guidance

4.15 Planning Practice Guidance (PPG) complements the NPPF in terms of how the NPPF should be implemented in practice. The PPG can be a material consideration in the decision-making process. The following categories of the PPG are considered relevant in the consideration of this proposal:

- Design: Process & Tools;
- Determining a Planning Application;
- Effective Use of Land;
- Housing needs of different groups (formerly Rural Housing category); and
- Natural Environment.

Local Plan - Adopted

4.16 The application site is situated in the newly founded Cumberland Council unitary authority, however, lies within the Copeland Borough. The statutory development plan for the application comprises the policies of the Copeland Local Plan 2013-28 Core Strategy and Development Management Policies (adopted 2015) ("the Core Strategy") and remaining policies 'saved' from the preceding Copeland Local Plan 2001-2016 (adopted 2006) ("the 2006 Plan").

4.17 The following policies of the Core Strategy have been identified as relevant:

- *Policy ST1: Strategic Development Principles* sets out the fundamental principles that will guide development management in the Borough. Principles include (inter alia):
 - focus development on sites at least risk from flooding,
 - reuse existing buildings and previously developed land wherever possible,
 - support the reclamation and redevelopment or restoration of the Borough's vacant or derelict sites, whilst taking account of landscape, biodiversity and historic environment objectives,
 - prioritise development in the main towns where there is previously developed land and infrastructure capacity.
 - accommodate traffic and access arrangements in ways that make it safe and convenient for pedestrians and cyclists to move around; and
 - ensure new development addresses land contamination with appropriate remediation measures.

- *Policy ER4: Land and Premises for Economic Development* sets out that the Council will maintain an adequate supply of land and floorspace for economic development to be achieved by safeguarding existing and allocated employment sites against nonemployment uses.
- *Policy ER6: Location of Employment* identifies that employment development will be supported in Whitehaven and Key Service Centres (i.e., Cleator Moor).
- *Policy DM22: Accessible Developments* requires development proposals to be accessible to all users prioritising pedestrian and cycle needs, encouraging public transport and manages traffic access and speeds without resorting to engineering measures and incorporates appropriate parking standards.
- *Policy DM24: Development Proposals and Flood Risk* requires a Flood Risk Assessment (FRA) to be submitted as part of the planning application where a proposed development is likely to be at risk from flooding or increases risk of flooding elsewhere.
- *Policy DM26: Landscaping* sets out that all development proposals will be assessed in terms of their potential impact on the landscape.
- *Policy DM30: Rural Buildings* states that the Council will generally look favourably on proposals for small holdings and equine related developments that appropriately reuse existing buildings. Proposals for new agricultural buildings, small holdings and equine related development will be permitted so long as they:
 - a) Are well related to an existing settlement or farm building complex, or where this is not possible or appropriate are accessible and well screened;
 - b) Are of an appropriate design and scale;
 - c) Use materials and colours that enable the development to blend into its surroundings;
 - d) Do not adversely impact on the local landscape character or built environment; and
 - e) Do not significantly impact the amenity of any nearby residential properties.

Local Plan – Emerging

- 4.18 Cumberland Council are in the process of producing a new Local Plan for the Copeland Borough which once adopted will replace the Core Strategy and saved policies.
- 4.19 The Publication Draft of the *Copeland Local Plan 2021-2038* was consulted on between January and March 2022 and was submitted to the Secretary of State for Examination in September 2022, with Public Hearings held in February and March 2023. The Council consulted on a series of Main Modifications between February and March 2024. Adoption of the Plan is expected imminently.

- 4.20 In accordance with the requirements of NPPF Paragraph 48, given the advanced stage of its preparation the draft policies of the *Copeland Local Plan 2021-2038* can be attributed significant weight in the determination of planning applications.
- 4.21 Following the recent Main Modifications consultation, the following emerging policies have been highlighted as being of relevance to the proposals:
- *Strategic Policy DS4PU: Settlement Boundaries* identifies the development limits of settlements in the Borough within which development is acceptable subject to other material considerations.
 - *Strategic Policy DS6PU: Design and Development Standards* expects all new developments to meet high-quality design. This includes the use of good quality building materials that reflects local character and vernacular.
 - *Policy RE1PU: Agricultural Buildings* states that new agricultural buildings requiring planning permission will be supported where:
 - a) *A clear need for the building in relation to the functional operations of the agricultural business is demonstrated;*
 - b) *The building is located within or adjacent to the existing farm complex unless justification for an alternative location is demonstrated;*
 - c) *The building is of a scale, form and design which is appropriate to the location and will not result in adverse visual impacts or unacceptable harm to the landscape character or heritage assets;*
 - d) *The building will not adversely impact upon the amenity of nearby residential properties; and*
 - e) *The building implements measures to reduce ammonia emissions arising from farming practices where possible.*
 - *Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity* sets out the Council's commitment to conserving Copeland's biodiversity and geodiversity. Proposals must demonstrate that the mitigation hierarchy of avoidance, mitigation, and compensation, has been undertaken.

5. Design and Access Statement

Use

- 5.1 This application does not propose to change the existing uses at the Site, which comprise Use Class C3 (Dwellinghouses) and Sui Generis covering the associated agricultural buildings. The proposals comprise a replacement farmhouse which will remain under Class C3 and two modern agricultural barns which will not fall under a designated use class and therefore can be considered a Sui Generis use.
- 5.2 The two barns meet modern agricultural standards and will replace the existing cattle shed, dutch barn, stone barn, piggery and outbuilding all of which do not meet modern farming requirements and are beyond economic repair. The proposed farmhouse will replace the existing two storey farmhouse which was deemed to be in a very poor condition with significant structural defects upon an inspection in March 2021.

Amount

- 5.3 The Site extends 0.76ha (7,642sqm) and comprises several agricultural buildings. The replacement farmhouse and agricultural barns will reduce the existing Gross Floor Area within the site and the buildings will be concentrated within the northern portion of the Site.
- 5.4 The replacement farmhouse proposes 110sqm floorspace while the two barns will have a combined floorspace of circa 1,004sqm.

Layout and Scale

- 5.5 The proposals seek to establish the maximum parameters of the farmhouse and two agricultural barns that will not exceed the following:

Farmhouse

- 110sqm floorspace Net Internal Area (NIA); and
- 8.1m build height

Two Agricultural Barns

- Combined 1,004sqm floorspace (NIA); and
- 5m build height.

- 5.6 The replacement farmhouse construction will not be any higher than the existing farmhouse building which is 5m in height to eaves level and 8.1m to ridge height. The floorspace of the existing farmhouse (110sqm) will be replicated in the replacement farmhouse.
- 5.7 The two barns will each have a NIA of 501.68sqm, and the height of each building will not exceed 5m. At this stage of the design development, the two barn buildings are proposed to be 18.29m in width and 27.43m in length.

Landscape and Appearance

- 5.8 The Site contains one tree located adjacent to the B5344 and to the north of the existing farmhouse. This tree will be retained as part of the proposals with the replacement farmhouse to be built within the footprint of the existing farmhouse and adjacent workshop building.
- 5.9 Hedgerows are located along the western boundary of the site either side of the southern vehicle access point. A hedgerow is also located along the northeastern boundary of the site although this is not contained within the application boundary. All hedgerows contained within the Site will be retained as part of the proposed redevelopment of the property. The accompanying *Ecological Constraints Study* undertaken by *BiOME Consulting* found that none of the habitats identified on-site were considered to be of significant ecological value and should not be considered to represent a constraint to the proposed works.
- 5.10 At the Outline stage, this application does not provide details of the proposed hard landscaping features of the Site and as such a Landscape Plan does not accompany this Outline application. The existing impermeable area is 0.15ha which represents approximately 19% of the total site area. This includes a courtyard to the south of the farmhouse which is used for vehicle parking.
- 5.11 A small retaining wall runs along the northern and western perimeter of the Site which is proposed to be retained as part of the development. The wall separates the property from a public footpath which serves the B5344 and Station Road.

Access

- 5.12 Vehicular access to the Site will be via the existing access points along Station Road, located on the western elevation of the Site. At present there are two access points located off Station Road which provide access for vehicles to enter two separate small courtyard areas to the south of the farmhouse. The main courtyard area to the south of the farmhouse will be retained as part of the proposals. This area will continue to offer parking facilities to cars and other agricultural vehicles to serve the needs of the property.

5.13 The Site also has three key pedestrian access points all of which will be retained as part of the proposals. There are two gated entrances to the property located on along the footpath on the B5344 which runs adjacent to the northern boundary of the Site. There is also one pedestrian access point on Station Road providing gated access to the principal elevation of the existing farmhouse building.

6. Assessment of the Proposals

6.1 From the planning policy review the following policy considerations have been established as pertinent to the determination of the planning application proposal:

- The Principle of Development
- Other Material Considerations
 - Access and Transport
 - Flood Risk and Drainage
 - Ecology
 - Residential Amenity

6.2 Each of these matters will be discussed in turn.

Principle of Development

6.3 The starting point for assessment of planning applications as set out by S38 (6) of the Planning and Compulsory Purchase Act 2004 is the adopted Development Plan unless material considerations indicate otherwise.

6.4 The adopted Development Plan comprises the Copeland Local Plan 2013-28 Core Strategy and Development Management Policies (2015) and remaining 'saved' policies of the Copeland Local Plan 2001-2016. The adopted proposals map shows that the Site does not contain any specific allocation, nor does it show any statutory or non-statutory designation affecting the site which may prohibit certain types of development.

6.5 With regards to the emerging planning policy position the Council are in the process of preparing a new Local Plan. At the time of writing, the *Copeland Local Plan 2021-2038 'Publication Draft'* was submitted to the Secretary of State for Examination in September 2022 and following hearings in early 2023, the Council consulted on a series of Main Modifications between February and March 2024. Given its advanced stage of preparation, in accordance with NPPF Paragraph 48, due weight can be afforded to its policies in the determination of planning applications.

6.6 The proposed modifications to the Publication Draft Policies Map shows that the Site is not proposed to be allocated for any development and no site-specific proposed policies cover the Site area.

6.7 The Site comprises of land under continuous use for agricultural purposes, which is not currently under use due to the worn and dilapidated state of the existing buildings. The current tenant of the

property is unable to live within the house or use the associated buildings due to structural findings set out in application 4/24/2008/0F1. By redeveloping the Site to accommodate a modern farmhouse and agricultural barns, the proposals accord with NPPF Paragraph 123, and Core Strategy Policies ST1 and ST2 which prioritise the continued use of developed land.

- 6.8 As such the principle of development of the site is considered acceptable in terms of its location and proposed use. The remainder of this Statement will discuss how the proposals are acceptable with regards to other technical material considerations.

Access and Transport

- 6.9 As set out in Chapter 5 of this Statement, the existing vehicle access arrangements to the Site will be retained as part of the redevelopment proposals. At present, the Site contains two vehicle access points off Station Road. The three pedestrian access points to the Site will also be retained as part of the proposals. These include two gated entrances to the property along the northern elevation of the Site boundary on the B5344 and one gated access point along Station Road. The site is in an accessible location for pedestrians, cyclists and vehicles, with a footpath running along the northern and western boundaries of the Site.
- 6.10 The vehicle access points along Station Road are suitable to serve the proposals. The Site has been utilised for agricultural purposes over a long-term period and the existing width of the two access points are sufficient to enable agricultural vehicles to enter and exit the Site on to Station Road.
- 6.11 The proposed development meets the sustainability objectives of the National Planning Policy Framework (NPPF) and considering the long-term use of the Site for agricultural purposes, the redevelopment will not impact upon traffic on the surrounding road network. On those bases there is no justifiable transportation reason why planning consent should be withheld.
- 6.12 Overall, it is considered that the proposals accord with NPPF paragraph 116 and Local Plan Policies ST1 and DM22 with regards to ensuring safe and efficient access by all users and encouraging sustainable modes of travel.

Flood Risk and Drainage

- 6.13 The application is accompanied by a *Flood Risk Assessment and Outline Drainage Strategy* prepared by Avison Young in November 2023.
- 6.14 The FRA confirms that the site is wholly in Flood Zone 1. Flood Zone 1 is land that is assessed as having less than a 1 in 1000 (0.1%) chance of flooding each year. Consequently, risk of flooding from fluvial sources is categorised as low.

- 6.15 The surface water flood risk is categorised as 'very low' within the northern, western and southern parts of the development site. There is an area at a 'low' risk of flooding located along the central eastern boundary, coinciding with the lowest topographical point of the Site.
- 6.16 An outline surface water drainage strategy has been prepared as part of the assessment which follows local and national guidance on sustainable drainage systems (SuDS). This strategy proposes the following:
- A positive discharge into an existing land drain, mimicking the existing drainage strategy;
 - On-site below ground surface water attenuation in the form of attenuation crates to limit peak discharge rates from the new drainage scheme; and
 - The drainage scheme incorporates a combination of traditional drainage and SuDS features.
- 6.17 The foul water drainage strategy proposes a new separate foul water drainage network. As the existing septic tank does not meet the guidance set out in the General Binding Rules 2015, updated October 2023, the following options are available to deal with foul water drainage from the new farmhouse:
- To continue to use the septic tank a new drainage field will have to be installed and any connection to the existing land drain should be removed, this would ensure the existing septic tank meets the current guidance;
 - The existing septic tank could be replaced with a new septic tank and a new drainage field installed to serve the new tank. There should be no connection to the land drain from a new septic tank; or
 - A new private foul water treatment plant could be installed, and this could then connect to the existing land drain.
- 6.18 The Flood Risk Assessment and Outline Drainage Strategy considers that the proposed foul drainage scheme could be installed to meet the current guidance.
- 6.19 As the site is at low risk of flooding and the proposed drainage strategy will not increase risk of flooding on or off-site, the proposals are in full accordance with NPPF Paragraph 165 and Local planning policies ST1 and DM24 in respect of minimising flood risk.

Ecology

- 6.20 The application is accompanied by an Ecological Constraints Study (ECS) prepared by BiOME Consulting in June 2023. BiOME originally undertook an ECS of the Site in September 2021 and

produced an update to this study to offer an up-to-date representation of the habitats recorded within the Site.

- 6.21 There are five statutorily designated sites and six non-statutorily designated sites within 2km of the site. Considering the nature of the proposals, no effects to designated sites are predicted, assuming all works strictly follow pollution prevention best practice.
- 6.22 None of the habitats identified on-site were of significant ecological value and are do not present a constraint to the redevelopment of the property. The study identified the presence of one bat roost within the existing stone barn. The proposed redevelopment of the Site will result in the loss of this roost, the principle of which has been accepted under the Prior Approval for demolition of the property.
- 6.23 The study sets out opportunities for enhancement of nature conservation at the Site. These opportunities include the following:
- The creation of habitat areas through landscape planting using native, locally sourced plants/trees;
 - The planting of native fruiting species to provide a food source for invertebrates, birds and mammals;
 - The installation of bird and bat boxes on retained tree/s. S41 priority species such as the House Sparrow (which were noted in the area) and Barn Owl could potentially benefit from the provision of appropriate boxes; and
 - Pond Creation.
- 6.24 These opportunities will be considered at a later stage of the design process for the redevelopment of the Site. As recognised in the study, such measures would be beneficial to nature conservation and show compliance with the latest policy guidance.
- 6.25 The findings of the ECS ensure that the proposals are in accordance with NPPF Paragraph 180 and Core Strategy Policy ST1 with regards to ecology.

Residential Amenity

- 6.26 Considering the site's long-term use for agricultural purposes and that the proposed buildings will not exceed the footprint or scale of the existing farmhouse and associated agricultural buildings, it is considered that there will be negligible impact on the levels of amenity currently enjoyed by neighbouring residential properties or environmental health more widely resulting from noise, light,

ground contamination, air quality or visual impact. The proposals therefore accord with NPPF Paragraphs 135, 191 and Core Strategy Policy ST1 in protecting residential amenity and environmental health.

7. Summary and Conclusions

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications for planning permission be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 7.2 This Planning Statement has set out how the proposed development accords with the NPPF and the relevant policies of Cumberland Council's adopted Development Plan and saved policies for the Copeland Borough.
- 7.3 The development proposals seek the in-principle acceptance of the development of the site to accommodate the following:
- 7.4 In summary, the development comprises the following:
- Two Modern agricultural sheds with a proposed combined Net Internal Area (NIA) of 1,004sqm; and
 - Replacement farmhouse building to be built in line with the footprint and height of the existing farmhouse building.
- 7.5 This application is submitted in outline with only access sought for approval, all other matters are reserved for determination at a later date. This application does not provide details of proposed appearance, layout, scale or landscaping of the proposals. To support the consideration of the proposal, this application provides three parameter plans demonstrating the proposed uses, vertical limitations and quantum of the development.
- 7.6 The applicant has obtained Prior Approval for the demolition of the existing farmhouse and agricultural buildings at the Site comprising a cattle shed, dutch barn, stone barn, piggery, and outbuilding. This subsequent Outline application has been submitted to ensure that the property can continue to be utilised for agricultural purposes by redeveloping the property to meet modern agricultural standards. Considering the property is under a continuous long-term lease for agricultural use, the principle of development should be considered acceptable.
- 7.7 Furthermore, in relation to the technical surveys undertaken on the site have demonstrated:
- None of the habitats identified on-site were of significant ecological value and are do not present a constraint to the redevelopment of the property;

- the site is at low risk of flooding and the proposed drainage strategy will not increase risk of flooding on or off-site; and
- the proposals accord with national and local planning policy objectives that prioritise the reuse of vacant land and will assist in enabling agricultural activity to continue at the property.

7.8 Overall, the proposals will not result in harm that would outweigh the benefits of granting permission.

Contact details

Enquiries

Visit us online
[avisonyoung.com](https://www.avisonyoung.com)