

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/20/2211/OR1	
2.	<b>Proposed Development:</b>	RESERVED MATTERS FOR ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING APPROVED APPLICATION 4/19/2341/001 (OUTLINE FOR ERECTION OF AGRICULTURAL WORKERS DWELLING)	
3.	<b>Location:</b>	LAND NORTH OF HIGH HOUSE FARM, HOLMROOK	
4.	<b>Parish:</b>	Gosforth	
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone	
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>		
	<b>Site and Location</b>		
	<p>This application relates to an area of agricultural land, which lies to the north of High House Farm. High House Farm is located off the A595 to the north west of Holmrook. The farm extend over 95.11 hectares, and comprises of a mix of cattle and sheep livestock.</p> <p>The application site measures 0.1 hectares, and is detached from the main farm buildings however, it has direct access to the farm via the surrounding fields or the A595. The land is accessed from a private track, which serves a number of dwellings at Hallsenna.</p>		
	<b>Relevant Planning History</b>		
	4/18/2489/001 – Outline for erection of agricultural workers dwelling – Withdrawn.		

4/19/2341/001 – Outline for the erection of agricultural workers dwelling – Approve.

### **Proposal**

This application seeks the approval of Reserved Matters for the erection of a single agricultural workers dwelling, following the grant of outline planning permission (ref: 4/19/2341/001) in November 2019.

The proposed dwelling will measure 14.6m x 7.15m, and will benefit from an eaves height of 4.6m and an overall height of 7.25m. The proposed dwelling will reflect a traditional barn conversion, and will include a modern extension to the rear measuring 9.5m x 2.9m with an eaves height of 2.2m and an overall height of 3.8m.

The ground floor of the proposed dwelling will incorporate a large entrance hall, a cloakroom, a play room, a lounge, a utility room, a bathroom, and a large open plan kitchen/dining/sun room. The proposed first floor of the proposed dwelling will incorporate a farm office, a master bedroom with an ensuite bathroom, two bedrooms one with an ensuite, and a family bathroom.

Externally the proposed development will be finished with natural St Bees Sandstone, self-coloured textured off-white cement based render, cedar natural colour timber cladding, kentdale slate, aluminium grey windows, and composite doors. The property will also benefit from a large driveway and parking area, which will be finished with compacted gravel/hardcore.

### **Consultation Responses**

#### Gosforth Parish Council

No comments received.

#### Cumbria Highways

Cumbria County Council as the Highways Authority and the Lead Local Flood Authority (LLFA) has reviewed the application and have confirmed that the applicant should be requested to supply more details of the achievable visibility splays at the access of the site on to Hallsenna Lane in support of discharging the access element of the consent to ensure a safe access can be secured. As for the drainage the applicant should be requested to supply test results of surface water testing in accordance with BRE365 standards to ensure the drainage design is adequate for use.

Following the receipt of additional information for this application, including a plan showing visibility splays and a revised drainage assessment, Cumbria Highways have confirmed that the submitted details are acceptable however the works identified should be completed before the dwelling is occupied.

### United Utilities

No comments to make on this application.

### Flood & Coastal Defence Engineer

Initially the Officer requested additional information relating to the proposed drainage at this site. Further to the submission of additional/amended drainage information the Officer raised concerns regarding the sharing and size of the proposed soakaway. The Officer however has spoken to Cumbria County Council and they are in the agreement that this issue is a matter for building regulations.

### Footpaths Officer – Cumbria County Council

The access to the proposed development is along Bridleway 409046, and must not be altered or obstructed before or after the development has been completed. If the bridleway is to be temporarily obstructed then a formal temporary closure order will be required, there is a 14 week lead in time for this process, please contact [Sandra.smith@cumbria.gov.uk](mailto:Sandra.smith@cumbria.gov.uk) for further information. The developer must ensure they have a private vehicular right to use the Bridleway for access.

### Other

This application has been advertised by way of a site notice and press notice. No comments have been received in relation to the statutory notification procedure.

### **Planning Policy**

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

### **Development Plan**

#### **Copeland Local Plan 2013 – 2028 (Adopted December 2013)**

#### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy ENV5 – Protecting and Enhancing the Borough’s Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM26 - Landscaping

**Other Material Planning Considerations**

National Planning Policy Framework (2019)

Interim Housing Policy

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

**Assessment**

Principle of Development

Policy ST1 and ST2 of the Copeland Local Plan restricts development outside of the defined settlement boundaries to that which has a proven requirement. The NPPF confirms that planning decisions should avoid the development of isolated home in the countryside unless there is an essential need for a rural worker to live permanently at or near their place of work.

Although the site lies outside of any settlement boundary identified within the Copeland Local Plan, the principle for developing this site for residential purposes has already been established by the previous outline planning application. Following the submission of an agricultural appraisal it was determined that there was a justified need for an agricultural workers dwelling in this location in accordance with the exceptions set out in the Copeland Local Plan and the NPPF. Therefore the principle of development is acceptable subject to site specific issues.

Scale, Design & Impact of Development

Within the Copeland Local Plan, Policies DM10, DM11, and DM12, and section 12 of the NPPF, seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity, and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

	<p>Policy ENV5 states that the Borough’s landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough’s landscapes.</p> <p>This application seeks the approval of reserved matters for the erection of a single agricultural workers dwelling. The submitted layout and design of the proposed dwelling is considered acceptable. The proposed has been designed to reflect a traditional barn conversion, which would be seen within this area, with large barn style openings along the front elevation. The dwelling will be constructed from traditional materials, however a modern extension is proposed to the rear of the property. Given the siting and orientation of the dwelling the modern extension will not be visible from the adjacent track, and the main visible elevations will be finished with traditional sandstone. The siting of the dwelling within the lowest point of the site has been previously agreed by the outline planning application and will ensure that the development does not create a significant detrimental impact. Additional landscaping to the east and south of the site will also ensure the property is well screened.</p> <p>The proposed access to this site is along Bridleway 409046. Cumbria County Council’s Footpath Officer has stated that this Bridleway must not be altered or obstructed before or after the development has been completed. If the Bridleway is to obstructed a temporary closure order will be required. The Officer has also stated that the developer must ensure they have a private vehicular right to use the Bridleway for access. This detail has been included as an informative on the decision notice.</p> <p>On the basis of the above, the proposal is considered to be compliant with policies ENV3, DM10, DM11, and DM12 of the Copeland Local Plan, and provisions of the NPPF.</p> <p><u>Conclusion</u></p> <p>On the basis of the above, I consider the submitted details of the proposed dwelling to be acceptable in terms of scale and design. The development is therefore compliant with the above Policies of the Copeland Local Plan.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve Reserved Matters</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The development must be carried out in accordance with the plans submitted and in</li> </ol>

accordance with the conditions attached to the outline planning permission.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-
  - Site Plan & Location Plan (Amended), Scale 1:200 & 1:1250, Drawing No: D.03, received by the Local Planning Authority on the 11<sup>th</sup> August 2020.
  - Land Ownership in Blue, received by the Local Planning Authority on the 11<sup>th</sup> August 2020.
  - Elevations (Amended), Scale 1:100, Drawing No: D.02, received by the Local Planning Authority on the 10<sup>th</sup> July 2020.
  - Floor Plans, Scale 1:50, Drawing No: D.01, received by the Local Planning Authority on the 9<sup>th</sup> June 2020.
  - Site Section Details (Amended), Scale 1:100, Drawing No: D.04, received by the Local Planning Authority on the 10<sup>th</sup> July 2020.
  - Drainage Plan, Scale 1:200, Drawing No: 05, received by the Local Planning Authority on the 6<sup>th</sup> July 2020.
  - Schedule of Materials (Amended), received by the Local Planning Authority on the 10<sup>th</sup> July 2020.
  - Design & Access Statement, received by the Local Planning Authority on the 9<sup>th</sup> June 2020.
  - Drainage Assessment (Amended), received by the Local Planning Authority on the 11<sup>th</sup> August 2020.
  - Highways Document, received by the Local Planning Authority on the 11<sup>th</sup> August 2020.
  - Visibility Splay Plan, Scale 1:200, Drawing No: 06, received by the Local Planning Authority on the 11<sup>th</sup> August 2020.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved must be carried out in accordance with the approved plans:
  - Drainage Plan, Scale 1:200, Drawing No: 05, received by the Local Planning Authority on the 6<sup>th</sup> July 2020.
  - Drainage Assessment (Amended), received by the Local Planning Authority on the 11<sup>th</sup>

August 2020.

The development must be maintained in accordance with this approved detail at all times thereafter unless agreed in writing by the Local Planning Authority.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

4. The development here by approved must be carried out in accordance with the approved document Schedule of Materials (Amended), received by the Local Planning Authority on the 10<sup>th</sup> July 2020. The development must be maintained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity in accordance with Policy DM10 of the Copeland Local Plan.

5. Prior to the first occupation of the dwelling hereby approved, the access and visibility splays to the site shall be constructed in accordance with the approved plans:
  - Highways Document, received by the Local Planning Authority on the 11<sup>th</sup> August 2020.
  - Visibility Splay Plan, Scale 1:200, Drawing No: 06, received by the Local Planning Authority on the 11<sup>th</sup> August 2020.

The development must be maintained in accordance with this approved detail at all times thereafter unless agreed in writing by the Local Planning Authority.

Reason

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

6. The development shall not be occupied until visibility splays have been provided as shown on the approved plan Visibility Splay Plan, Scale 1:200, Drawing No: 06, received by the Local Planning Authority on the 11th August 2020. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of

any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before the dwelling is occupied and shall be maintained at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To ensure provision of adequate visibility splays in the interests of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

7. Prior to the first occupation of the dwelling hereby approved, the proposed landscaping shall be carried out in accordance with the approved plan Site Plan & Location Plan (Amended), Scale 1:200 & 1:1250, Drawing No: D.03, received by the Local Planning Authority on the 11<sup>th</sup> August 2020. The development must be maintained in accordance with this approved detail at all times thereafter unless agreed in writing by the Local Planning Authority.

Reason

To ensure an adequate landscaping scheme in accordance with the provisions of Policy ENV5 and DM26 of the Copeland Local Plan 2013 – 2028.

8. The occupation of the dwelling must be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The Local Planning Authority would not be prepared to grant planning permission for the erection of a dwelling on this site except for occupation by persons so employed in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 - 2028.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement must be carried out to the dwellings, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason



To safeguard the character and appearance of the development in the interests of visual amenity in accordance with Policy DM10 of the Copeland Local Plan.

**Informatives**

1. The access to the proposed development is along Bridleway 409046, and must not be altered or obstructed before or after the development has been completed. If the bridleway is to be temporarily obstructed then a formal temporary closure order will be required, there is a 14 week lead in time for this process, please contact [Sandra.smith@cumbria.gov.uk](mailto:Sandra.smith@cumbria.gov.uk) for further information.
2. The developer must ensure they have a private vehicular right to use the Bridleway for access.

**Statement:**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

**Case Officer:** C.Burns

**Date :** 20.08.2020

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

**Date :** 20/08/2020

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