

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/20/2246/OF1
2.	<b>Proposed Development:</b>	RETENTION OF GATES, HARDSTANDING AREA AND CONCRETE PAD AT ACCESS POINT IN CONNECTION WITH THE CUMBRIA WATER SUPPLY PROJECT
3.	<b>Location:</b>	FIELD NORTH EAST OF MAFEKING WOOD ON WEST SIDE OF MINOR ROAD, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: NO  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to the access to a field adjacent to Mafeking Wood, located to the west of the road leading from Keekle to Frizington. There are agricultural fields surrounding the access to the north, south, east and west.</p> <p><b>PROPOSAL</b></p> <p>This application seeks planning permission for the retention of a concrete pad access, hardstanding and gateway which serves a field currently utilized by United Utilities for the water supply upgrades. The concrete pad is 11.54m x 4.86m which leads to a hardstanding of 8.84m x 5.39m with 2 x 3.66m galvanized steel gates. The access frontage includes 2 small fences on either sides of the gates which are 0.76m each.</p> <p><b>RELEVANT PLANNING APPLICATION HISTORY</b></p> <p>Development of a water supply connection comprising of a new service reservoir, valve house and</p>

pumping station, fencing and landscaping, approved in December 2016 (application reference 4/16/2108/OF1 relates).

## CONSULTATION RESPONSES

### Consultees

Arlecdon and Frizington Parish Council – No objections.

Cumbria County Highways – No objections as it is considered that the proposal does not affect the highway.

Local Lead Flood Authority – No objections as it is considered that the proposal does not increase the flood risk on site or elsewhere.

### Public Representation

The application has been advertised by way of a site notice.

No responses have been received as a result of this advertisement.

## PLANNING POLICIES

Planning law requires 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 Strategy Development

Policy ENV1 – Flood Risk and Risk Management

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 DM22 – Accessible Developments

### **Other Material Planning Considerations**

National Planning Policy Framework (2019)

ASSESSMENT

Introduction

Planning Policies DM11 and DM22 within the Copeland Local Plan seek to ensure that access points are designed sufficiently to be safe and which do not create issues for the surrounding highway network. Policies ST2 and DM10 require proposals to be well designed and in keeping with their surroundings whilst choosing materials which do not increase the local flood risk, as required by Policy ENV1.

Planning Permission is required for the retention of a concrete pad, access gates and fence serving an agricultural field to the west of the minor road adjacent to Mafeking Wood. The development was undertaken by United Utilities and required for the upgrading of the water pipeline between Arlecdon and Kirkland, due for completion in 2022. The farmer wishes to retain the development to provide a safe access to the field for agricultural vehicles, without the need to access the field through the other fields.

Drainage

The access has been constructed between the road and the field in non-permeable concrete. It is considered that the access has been previously approved and is not creating drainage issues in the locality, therefore is suitable for retention. The Local Lead Flood Authority have raised no objections to the proposal.

Highway safety

The Highways Authority have raised no objections to the proposal and consider that the proposal does not affect the highway. There is suitable visibility when accessing and egressing the site with the access located on a straight section of road. It is considered that the application satisfies policy DM22 of the Copeland Local Plan and provides a safe gateway to the field.

Conclusion

There have been no objections received to the proposal.

Overall this is considered to be an acceptable form of development which accords with the policies set out in the Copeland Local Plan.

8. **Recommendation:**  
Approve (commence within 3 years)

9. **Condition(s):**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Site Location Plan and Aerial View, received 3<sup>rd</sup> July 2020;  
Floor Plan, scale 1:100, received 3<sup>rd</sup> July 2020;  
Floor Plan including Gates, scale 1:100, received 3<sup>rd</sup> July 2020;  
Photographs of site, received 3<sup>rd</sup> July 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.

**Informative**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**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.

<b>Case Officer: Sarah Papaleo</b>	<b>Date : 13/08/2020</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 17/08/2020</b>
<b>Dedicated responses to:- N/A</b>	