



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2259/OF1
2.	Proposed Development:	RETENTION OF GATES, GRAVEL HARDSTANDINGS AND CONCRETE APRONS ON 3 OF THE 4 ACCESS POINTS INSTALLED IN CONNECTION WITH THE CUMBRIA WATER SUPPLY PROJECT
3.	Location:	FRIZINGTON HALL FARM, RHEDA, FRIZINGTON
4.	Parish:	Weddicar, Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change, Preferred Route Corridor - Within Preferred Route Corridor
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to three access points to fields associated with Frizington Hall Farm located to the west of Frizington on the road leading to Keekle. There are agricultural fields surrounding the access points to the north, south, east and west.</p> <p>PROPOSAL</p> <p>This application seeks planning permission for the retention of 3 separate concrete pad accesses and gateways which serve fields currently utilized by United Utilities for the recent water supply upgrades that have taken place in West Cumbria. The concrete pads are 12m x 4.90m which leads to a hardstanding of 12m x 8.48m with 2 x 3.63m galvanized steel gates on each individual access point.</p>

RELEVANT PLANNING APPLICATION HISTORY

Development of a water supply connection comprising of a new service reservoir, valve house and pumping station, fencing and landscaping, approved in December 2016 (application reference 4/16/2108/OF1 relates).

CONSULTATION RESPONSES

Consultees

Weddicar Parish Council – No objections.

Arlecdon and Frizington Parish Council – No objections.

Cumbria County Highways – No objections subject to the old accesses being closed off.

Local Lead Flood Authority – No objections subject to a condition being included to insure that surface water does not drain onto the highway.

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 3 concrete pads, hardstandings and access gates serving agricultural fields associated with Frizington Hall Farm. The development was undertaken by United Utilities and was required as part of a major proposal to upgrade the water pipeline between Arlecdon and Kirkland, which is due for completion in 2022. The applicant wishes to retain the development to provide a safe access to the field for agricultural vehicles.

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. However, in order that the accesses can be retained permanently a shallow ditch should be created to the rear of the verge at gate 2 to allow the water to run downhill and away from the highway. The Local Lead Flood Authority have raised no objections to the proposal, but have requested a planning condition to ensure that the creation of the ditch is carried out.

It is considered that the proposal therefore complies with Policy ENV1 of the Copeland Local Plan in relation to flood risk.

Highway safety

The Highway Authority were consulted on the application and confirmed that the required visibility splays were achievable for each access. They considered that there is a requirement to remove the old gateways to the land being accessed by gates 1 and 2 and closed off with suitable railed fence, new planted hedgerow and the re-installation of the highway verges. It is considered that this can be secured through an appropriately worded planning condition, therefore ensuring that the

	<p>development complies with Policy DM22 of the Copeland Local Plan relating to highway safety.</p> <p><u>Conclusion</u></p> <p>There have been no objections received to the proposal.</p> <p>Overall this is considered to be an acceptable form of development which accords with the policies set out in the Copeland Local Plan.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>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: -</p> <p>Location Plan, scale 1:2500, received Proposed Elevations, scale 1:50, received 13th July 2020; Proposed Floor Plan, scale 1:50, received 13th July 2020; Photographic Evidence of Sites, received 13th July 2020.</p> <p>Reason</p> <p>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.</p> <p>Within 6 months of the approval of this planning application, the original existing field access gateways must be permanently closed and the highway crossing and boundary must be reinstated in accordance with details to be submitted to and approved by the Local Planning Authority. These access gateways must remain closed at all times thereafter.</p> <p>Reason</p> <p>To minimise highway danger, for the avoidance of doubt and in accordance with Policy DM22 of the Copeland Local Plan.</p>

	<p>4. Within 6 months of the approval of this planning application, full details of all measures to be taken by the Applicant to prevent surface water discharging onto or off the highway must be submitted to and approved in writing by the Local Planning Authority. The approved works must be implemented and maintained as operational at all times thereafter.</p> <p>Reason</p> <p>In the interests of highway safety and in accordance with Policy ENV1 of the Copeland Local Plan.</p> <p>Informative</p> <p>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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement</p> <p>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.</p>
Case Officer: Sarah Papaleo	Date : 04/09/2020
Authorising Officer: N.J. Hayhurst	Date : 07/09/2020
Dedicated responses to:- N/A	