

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2285/OF1
2.	Proposed Development:	CONCRETE PART OF THE FARM YARD WHICH WAS ALREADY CONCRETED BUT HAS ALL BROKEN UP
3.	Location:	CALDER FARM, SEASCALE
4.	Parish:	Ponsonby
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION This application site relates to the land within the existing farm complex at Calder Farm, located to the north of Seascale.</p> <p>PROPOSAL Planning Permission is sought for the concreting of the existing farmyard. It will replace the existing broken up surface along the existing farmyard access. The proposed area of concreting will be approximately 10 metres x 30 metres and it will be built out of concrete.</p> <p>RELEVANT PLANNING APPLICATION HISTORY There have been no previous planning applications at this site.</p>

CONSULTATION RESPONSES

Consultees

Ponsonby Parish Council – No objections.

Highways Authority – No objections.

Lead Local Flood Authority – No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 1 no. properties - No objections have been received as a result of this consultation process.

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 Development Strategy

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM24 – Flood Risk and Development

Policy DM30 – Rural Buildings

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impact on the public rights of way, drainage and highway safety and access.

Principle of Development

Policy ST2 of the Local Plan supports development outside of settlements, which have a proven requirement for such location, including agriculture related development. Policy DM30 and section 6 of the NPPF supports proposals for new agricultural development as long as they are well related to existing settlement or farm complexes, and do not adversely impact on local landscapes or the

amenity of nearby residential properties.

As the proposal is to re-concrete the existing broken up farmyard, this proposal is considered to be an appropriate form of development in the countryside. It will be viewed in the context of the existing farm and this will therefore minimise the impact of the development on the surrounding area. On this basis, the proposal is considered to satisfy Policies ST2 and DM30 and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seeks to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

The scale and design of the proposed resurfacing is considered to be appropriate in relation to the existing farm complex and it will be built out of a suitable material. The proposal will therefore respond to the character of the site and minimise the impact of the development on the surrounding area. On this basis, the proposal is considered to comply with Policies ST1 and DM10 and the NPPF guidance.

Impact on Public Right of Way

The application site is located within the 50-metre buffer zone of Public Rights of Way 421016 and 421010. Despite the development being visible from a small section of the public footpaths, the concreting is modest in scale and will be seen in the context of the existing farm yard and as such it will not have any detrimental impact on the Public Right of Way.

The site visit confirmed the PROW does not run through the farm and existing hedges along the public right of way will screen the development. On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.

Drainage and Flood Risk

Policy ENV1 and DM24 seeks to protect developments against risks of flooding and ensure that new developments do not contribute to increased surface water run-off.

The surface water will run into the existing drainage system and therefore the Lead Local Flood Authority have no objection to the proposal. The proposal will not increase the flood risk on site or elsewhere. On this basis, the proposal is considered to meet Policy ENV1 and DM24.

Highway Safety and Access

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access.

The Highway Authority consultation confirmed that the application would not have any effect in the existing highway conditions. Although re-concreting the access area onto the highway will require a permit from the Highway Authority, therefore it is appropriate to attach an informative condition with this information. On this basis, the proposal is considered to meet Policy DM22.

	<p><u>Conclusion</u></p> <p>Overall, this is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <p>1. The development hereby permitted must commence 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>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: -</p> <p>Site Plan, scale 1:1250, received 20th July 2020; Block Plan, scale 1:500, received 20th July 2020; Proposed Development Outline with Field Numbers, received 20th 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>Informative Re-concreting the access area onto the highway will require a permit from the Highway Authority, therefore the applicant should contact Mr Ian Hall to discuss this matter further via the following e-mail address: ian.hall@cumbria.gov.uk</p> <p>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.</p>

Case Officer: Chloe Unsworth	Date : 08/09/2020
Authorising Officer: N.J. Hayhurst	Date : 14/09/2020
Dedicated responses to:- N/A	