

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2292/OF1	
2.	Proposed Development:	REPLACEMENT OF EXISTING TIMBER ANIMAL SHELTER (FOOTPRINT 10M X 6M) WITH A STEEL FRAME LIVESTOCK SHED (12.2M X 6.1M) AND INSTALLATION OF SAND RIDING MENAGE (60M X 30M)	
3.	Location:	TOWN END FARM, COULDERTON, EGREMONT	
4.	Parish:	Lowside Quarter	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to a greenfield to the rear of the detached dwelling known as, Town End Farm, located within Coulderton, and the adjacent field. The property benefits from a large rear garden and is surrounded by open countryside. The applicant currently rents a field which has an access from the rear of her property to house her horses. The field is sloping and currently benefits from an existing timber building.	
	Proposal		
		This application seeks planning permission to replace the existing timber animal shelter with a steel frame livestock shed to the north east of the site. The proposed building will measure 12.19m x 6.09m, and will benefit from an eaves height of 2.73m and an overall height of 3.35m. Internally the building will provide a tractor shed, a stable, a sheep shelter, a feed/bedding room and a hay lean to. Externally the proposal will be finished with concrete panels and wooden clad wall, and fibre cement	

roof sheets.

Planning permission is also sought for the installation of a sand riding menage. The proposed menage is to be sited within the south western portion of the field. The menage will measure 60m x 30m and will be surfaced with sand and fibre at 6" deep. It will be enclosed by a post and rail fence.

As part of the application additional screen planting is proposed to reinforce the existing hedgerow along the south east and south west boundaries of the site. It is proposed to plant Hawthorn hedging at 3 plants per metre. The applicant also proposes to install a new Hawthorn dyke along the north east elevation of the proposed menage, in order to provide further screening for the development.

### **Consultation Responses**

#### Lowside Quarter Parish Council

Lowside Quarter Parish Council have reviewed the planning application, and it has come to our attention that the plans for the outdoor arena is in fact not for Victoria Nicholson but is for Commercial use for Coulderton House Farm Livery; this is common knowledge locally. The Parish Council believe that the stable block proposed is for private use by the applicant and is therefore in our opinion acceptable but the outdoor arena which we believe is not for private use by the applicant should not be approved and should be re-submitted by Coulderton Farm House Livery.

#### Cumbria County Council – Cumbria Highways & Lead Local Flood Authority

Taking into account the existing use of the property, it is considered that the proposal will be unlikely to have a material effect on existing highway conditions. It is therefore confirmed that the Highway Authority has no objection to the proposal. From an LLFA point of view the arrangements will not increase the surface water flooding to this or adjacent properties.

#### Copeland Borough Council – Scientific Officer

No objection to this development. The Officer has stated that while the livestock shed is close to residential properties it is essentially a like for like replacement of an existing timber building. Furthermore it is confirmed that the sand riding menage is unlikely to cause nuisance or pollution issues.

#### Copeland Borough Council – Flood & Coastal Defence Engineer

No comments to make on application.

#### Arboricultural Consultant – Capita

Initially the Council's Consultant stated that it was not possible from the information provided to determine if the proposed planting will be effective in screening the development area/menage. Following the submission of additional information on this matter the Arboricultural Consultant has

confirmed that the proposed landscape is acceptable.

#### Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to three properties. 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 – Strategic Development Principles

ENV5 – Protecting and Enhancing the Borough's Landscapes

#### Development Management Policies (DMP)

Policy DM30 – Rural Buildings

#### **Other Material Planning Considerations**

National Planning Policy Framework (2019)

Cumbria Landscape Toolkit

Emerging Copeland Local Plan (ELP).

The emerging Copeland Local Plan 2017-2035 is currently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

#### **Assessment**

Policy ST2 of the Local Plan supports development outside of settlement, which have a proven requirement for such location, including agriculture. Policy DM30 and section 6 of the NPPF supports proposals for small holdings and equine related developments 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.

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.

The proposal seeks to replace an existing animal shelter which is no longer fit for purpose. Although larger in size the replacement building is located within the same position as the existing shelter, and therefore is not considered to have a significant detrimental impact on the character or appearance of the surrounding area. The scale and design of the proposal therefore is considered to be appropriate with regard to the existing site and is unlikely to cause any demonstrable harm, in accordance with Policy DM30.

The proposal also seeks to provide the applicant with an onsite facility to look after and exercise their horses. The applicant currently takes part in horse riding and amateur eventing, including dressage, show jumping and cross country eventing. Equine eventing is not only a summer sport and the proposed development will enable the applicant to exercise their horses during daylight hours throughout the year, rather than using indoor facilities around Cumbria as no facilities are available locally. The proposed will create a practise horse jumping arena, which is considered an appropriate form of development in the countryside in accordance with Policy ST2.

Lowside Quarter Parish Council have raised concerns that the outdoor arena is not for the applicant but for commercial use for Coulderton House Farm Livery. Based on these concerns a planning statement was requested from the applicant requiring justification for this proposal. This statement details that the development will be for private use of the applicant only. In order to secure this an appropriately worded planning condition has been attached to this decision notice to ensure the development is not utilised for any commercial purposes.

The site is slightly sloping and the proposed location of the arena is well-screened by the exiting topography of the surrounding land, therefore the development is not considered to have a significant detrimental impact on the surrounding area. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 4 'Coastal Sandstone'. The surrounding boundary treatment is in poor condition, therefore additional screening was requested. The introduction of additional planting to reinforce the existing hedgerows along the south east and south west side of the development, and the creation of an additional dyke adjacent to the north east of the menage will create additional screening for the development further mitigating against any potential impact of the development upon the surrounding area. The scale and design of the proposal therefore is considered to be appropriate with regard to the existing site and is unlikely to cause any

	<p>demonstrable harm.</p> <p><u>Conclusion</u></p> <p>The proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <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> <ol style="list-style-type: none"> <li>2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> <li>- Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 3<sup>rd</sup> August 2020.</li> <li>- Site Plan, Scale 1:500, received by the Local Planning Authority on the 3<sup>rd</sup> August 2020.</li> <li>- Proposed Livestock Shed Layout, Drg No: Layout 1, Mod: A, received by the Local Planning Authority on the 3<sup>rd</sup> August 2020.</li> <li>- Proposed Horse Menage and Livestock Shed (Amended), Drg Layout 2, Mod: A, received by the Local Planning Authority on the 7<sup>th</sup> September 2020.</li> <li>- Planning Statement, received by the Local Planning Authority on the 21st August 2020.</li> <li>- Addendum of Planning Statement – Landscaping to Accompany Application Reference 4/20/2292/OF1, received by the Local Planning Authority on the 23rd September 2020.</li> <li>- Addendum of Planning Statement – Landscaping to Accompany application Reference 4/20/2292/OF1, Maintenance and Planting of Hedgerows at Town End Farm, received by the Local Planning Authority on the 23rd September 2020.</li> </ul> </li> </ol>

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 horse show jumping arena & livestock shed hereby permitted must only be used for domestic private use in connection with the dwelling known as Town End Farm, Coulderton, and must not be used for any commercial or business purposes whatsoever.

Reason

To ensure that non conforming uses are not introduced into the area.

4. There must be no flood lighting erected at this site as part of this proposal without the prior approval of the Local Planning Authority.

Reason

To minimise visual intrusion and in the interests of amenity.

5. The proposed landscaping relating to the development here by approved must be carried out in accordance with the following approved documents:
  - Addendum of Planning Statement – Landscaping to Accompany Application Reference 4/20/2292/OF1, received by the Local Planning Authority on the 23rd September 2020.
  - Addendum of Planning Statement – Landscaping to Accompany application Reference 4/20/2292/OF1, Maintenance and Planting of Hedgerows at Town End Farm, received by the Local Planning Authority on the 23rd September 2020.

The landscaping scheme must be implemented within the first available planting season after the menage is brought into use. The development must be retained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

6. The proposed landscaping relating to the development hereby approved must be maintained in accordance with the approved document, Addendum of Planning Statement – Landscaping

to Accompany application Reference 4/20/2292/0F1, Maintenance and Planting of Hedgerows at Town End Farm, received by the Local Planning Authority on the 23rd September 2020. Following completion of the development should any of the planting be uprooted, destroyed or die, replacement planting must be planted at the same place. The replacement planting will be of a size, species and be planted at such a time as agreed in writing by the Local Planning Authority.

**Reason**

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

**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 :** 29.10.2020

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

**Date :** 29/10/2020

**Dedicated responses to:-** Parish Council