



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2008/OF1
2.	<b>Proposed Development:</b>	PROPOSED AGRICULTURAL WORKERS DWELLING
3.	<b>Location:</b>	ROWAN GARTH, SANDWITH
4.	<b>Parish:</b>	Whitehaven
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: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  <p>This application relates to an area of agricultural land which is adjacent to an existing farm building, situated off Tarn Flatt Lane, Sandwith. The site is surrounded by agricultural fields.</p> <p>There have been various previous applications on the farm for agricultural related development, but there is no planning history on the plot of land subject to this specific application.</p>  <b>PROPOSAL</b>  <p>Planning Permission is now sought for the erection of an agricultural workers dwelling to serve the farm. The proposed dwelling is to be located on land east of the existing farm building, fronting on to Tarn Flatt Lane.</p> <p>The proposed dwelling will comprise of the master bedroom with en-suite, utility room,</p>	

dining/kitchen and living room on the ground floor, along with an attached double garage and 2 bedrooms, a bathroom and a study on the first floor. It is to be finished with a concrete tiled roof, self-coloured rendered walls with stone detail and timber boarding on the garage. The windows and doors are proposed to be UPVC and composite. No details have been submitted to show details of boundary treatments or the surfacing of the access drive.

The applicant's agent has submitted an agricultural appraisal in support of the application that sets out details of the farming operations to justify the functional need for the proposed dwelling on the site. This states that the applicants own and farms around 181.76 acres of land, with the majority surrounding the application site. The farm is family run, with Messrs Watson having farmed there since the 2010. Mr and Mrs Watson farm the land full time, with their daughter providing support part time when required. Contractors are also used for specialist assistance. The farm is stocked with 1494 breeding and feeding sheep. The flock consists of Pure and Commercial Breeding and Feeding Sheep which lamb from January-May. Each year, the following crops are also grown:

- 74.14 acres of cereals, either used on the farm or sold;
- 96.37 acres of pasture used for either silage with one cut or aftermath being taken dependent on the season or grazed by the flock;
- 10 acres is reseeded annually.

Due to the size of the farm and the maintenance required, the appraisal claims that three full time farm workers should be on the site at all times.

There are no buildings on the farm which are vacant and suitable for conversion to provide additional residential accommodation.

#### RELEVANT PLANNING APPLICATION HISTORY

Agricultural building, approved in May 2013 (application reference 4/13/2129/0F1 relates);

Extension of existing agricultural shed with concrete apron for stock handling, approved in June 2015 (application reference 4/15/2164/0F1 relates);

Septic tank for a toilet inside existing agricultural building, approved in October 2020 (application reference 4/20/2321/0F1 relates).

#### CONSULTATIONS RESPONSES

Whitehaven Town Council – No objections.

Cumbria Highways – The proposed dwelling is located on a privately maintained road and will not have a material effect on existing highway conditions, I can therefore confirm that the highway

authority has no objections.

Local Lead Flood Authority – No objections.

Flood and Coastal Defence Engineer – Not much to say, except the sewage will go to an existing sewage package treatment plant and surface water is to be utilised as grey water. I have no objection to the proposed development.

United Utilities – No objections.

#### 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 POLICY

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 SS3 – Housing Needs, Mix and Affordability

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards for New Residential Developments

Policy DM22 – Accessible Developments

Policy DM26 – Landscaping

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

National Planning Policy Framework 2019 (NPPF)

Strategic Housing Market Assessment 2019 (SHMA)

Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)

National Design Guide (NDG)

## Cumbria Development Design Guide (CDDG)

### Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was the subject of a Preferred Options Consultation which closed on 30<sup>th</sup> November 2020. 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

#### Principle of the development

The site is located outside of any designated settlement boundary, close to the hamlet of Sandwith. Policy ST2 of the Copeland Local Plan seeks to restrict housing in the open countryside to that which has a proven and specific need for that location, including the provision of agricultural workers dwellings.

In order to establish whether or not there is an agricultural need for a further dwelling on this site, the applicant commissioned an agricultural appraisal from an independent consultant. This report sets out the following conclusions.

- There is clearly a functional need on the holding for a dwelling;
- The numbers and type of livestock kept on the holding generates a need for regular supervision on a 24 hour a day basis to ensure adequate levels of animal welfare, dealing with emergency situations in a quick and efficient manner and increased security;
- The need is for full time employees rather than a part time need;
- The unit has been established for more than 3 years and is profitable and will remain so;
- The siting and design of the dwelling will blend in with the surrounding buildings and will not be visually obtrusive;
- The applicant does not have any control over any other dwellings, therefore the proposal complies with the criteria set out within PPS7 Annex A.

The submitted agricultural assessment was independently assessed by a specialist on behalf of Copeland Borough Council and concluded the following:

- At the present time there is a clearly established existing functional need in relation to the

landholdings that make up Rowan Garth, Sandwith;

- I have calculated the labour requirement on these landholdings and can advise that they have a calculated labour requirement of over 2 full time workers. This is currently met by Mr and Mrs Watson working full time, by the use of part time family help and by the use of contractors for specialist tasks.
- I have confidence that the overall business will remain financially viable for the foreseeable future;
- I am of the view that it is essential that 1 full time worker actively involved in the management of the unit should be resident on these land holdings to meet the existing functional need;
- There is no existing suitable and available dwelling on the land holdings to house that worker.

Due to the rural nature of the site and the justification for the location being the agricultural need, it is considered that the dwelling should be tied to the agricultural farm and must only be occupied by an agricultural worker. This can be controlled by way of an appropriately worded planning condition.

On this basis, it is considered that there is a justified need to house a farm worker on the site in accordance with the exceptions set out in both the NPPF and the Local Plan.

#### Scale and design of the dwelling

As Mr and Mrs Watson farm the land together as a family unit, a family home is considered to be acceptable on the site.

The dwelling has been sited as close as practicable to the existing farm building in order that the impact on the landscape can be kept to a minimum and it will be viewed in context with the existing development. The dwelling is of a modest scale and only includes the room provision required for reasonable family living. The footprint of the dwelling is considered to be satisfactory with the internal layout providing suitable living space. The design of the house is standard and picks up on some of the locally distinctive design features including banded window details and dormers to the front.

The materials to be used have been specified and are considered to be acceptable for a dwelling on this site, however it is considered necessary for a condition to be attached to the approval to require samples to be approved prior to their use on the property. This is to ensure that the dwelling fits in with the rural area, however the use of sandstone and smooth render is welcomed as it is a traditional material that is characteristic of Sandwith.

There will be no effect on any other properties due to the isolated location of the dwelling.

It is considered prudent to remove Permitted Development Rights from the property in order to ensure that disproportionate extensions are not added to the dwelling and in order to control the

curtilage surrounding the property. This can be controlled with the use of an appropriately worded planning condition.

Overall, it is considered that the proposal is submitted in accordance with Policies DM10 and DM12 of the Copeland Local Plan.

#### Landscaping

No details of landscaping have been submitted as part of the application although suitable landscaping can be secured by the use of an appropriately worded planning condition. Due to the rural nature of the proposal, the boundary hedge between the site and the access road should be retained as far as practicable in order to ensure that there is some screening for the property and to help to protect longer range views of the site. This can also be controlled through the use of an appropriately worded planning condition. Subject to the implementation of satisfactory landscaping the proposal would comply with Policy DM26 of the Copeland Local Plan.

#### Highways and Parking

The dwelling will be sited along a private road with limited access for local properties. It is considered that there is unlikely to be an increase in traffic from the siting of a dwelling in this location as Mr and Mrs Watson will live on site therefore reducing their current work commute. The Highway Authority has raised no objections to the proposal, stating that there is unlikely to be a material effect on the existing highway conditions. The plans include spaces at the front of the property for off street parking and turning as well as an attached single garage for further parking.

Overall, it is considered that the proposal complies with Policy DM22 of the local plan and is therefore considered to be acceptable in highways terms.

#### Drainage

The plans show the drainage of foul water to the existing treatment plant and for surface water to the drainage field, with the addition of a grey water recycling tank to the west of the dwelling. Full details of these have not been submitted with the application although the proposed drainage is the most sustainable and appropriate option and the detailed design of these measures would be picked up at the Building Control stage.

#### Planning Balance and Conclusion

In accordance with Policy ST2 of the Copeland Local Plan, the Applicant has demonstrated a clear justification for the provision of a dwelling within their farm land to ensure that they can tend to their livestock and crops and provide security to the farm. The Applicant does not have another dwelling or building suitable for conversion to serve the functional needs of the agricultural holding. Occupancy of the dwelling can be controlled through the use of a planning condition to ensure that it continues to meet the functional need on the holding.

The proposed dwelling is of an appropriate scale and design to provide reasonable living

	<p>accommodation for a family. Adequate parking and drainage can be provided to serve the development.</p> <p>There have been no objections to the proposal.</p> <p>Matters relating to external facing materials and landscaping can be secured by the use of appropriately worded planning conditions.</p> <p>Overall this is considered to be an acceptable form of exceptional development which is justified in this location and therefore conforms with the guidance set out in the NPPF and the adopted Local Plan.</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> <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> </li> <li> <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>Site Location Plan, scale 1:1250, received 6<sup>th</sup> January 2021;  Site Plan, scale 1:100, drawing number 1279, received 6<sup>th</sup> January 2021;  Proposed Ground and First Floor, scale 1:100, drawing number 1279 01, received 6<sup>th</sup> January 2021;  Proposed Elevations, scale 1:100, drawing number 1279 02, received 6<sup>th</sup> January 2021;  Proposed Side Elevations, scale 1:100, drawing number 1279 03, received 6<sup>th</sup> January 2021;  Agricultural Planning Appraisal Report, written by Mr Alisdare M Bruce Ltd, written in August 2020, received 6<sup>th</sup> January 2021.</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> </li> </ol>

	<p>3. 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.</p> <p>Reason</p> <p>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 Policy ST2 of the Copeland Local Plan.</p> <p>4. There must be no removal of boundary hedges on the site unless specifically agreed in writing by the Local Planning Authority.</p> <p>Reason</p> <p>To ensure that the dwelling is adequately screened and to protect the rural nature of the site, in accordance with Policy DM10 of the Copeland Local Plan.</p> <p>5. Prior to the first occupation of the dwelling hereby approved, a full landscaping scheme must be submitted to and approved in writing by the Local Planning Authority. The landscaping must be installed in accordance with the approved plan and retained as such at all times thereafter.</p> <p>Reason</p> <p>To ensure mitigation against landscape impact, in accordance with Policy DM26 of the Copeland Local Plan.</p> <p>6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2005 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, 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.</p> <p>Reason</p> <p>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.</p>
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	<p><b>Informative</b></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:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p> <p><b>Statement</b></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 : 01/03/2021
Authorising Officer: N.J. Hayhurst	Date : 08/03/2021
Dedicated responses to:- N/A	