



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2017/OF1
2.	<b>Proposed Development:</b>	ERECT BUILDING (TO STORE, SERVICE & MAINTAIN FARM VEHICLES & MACHINERY) AND EXTENSION TO COVERED YARD
3.	<b>Location:</b>	BUCKMAN HALL FARM, BUCKMAN BROW, THWAITES, MILLOM
4.	<b>Parish:</b>	Millom Without
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - 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>	<p><b>SITE AND LOCATION</b></p> <p>The application relates to Buckman Hall Farm Building Complex, located to the north of Lady Hall, Millom. The site is accessed off Lady Hall Lane and benefits from a number of agricultural buildings. The site also lies within flood zones 2 and 3.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the erection of a workshop building adjacent to the existing farm complex and an extension to the covered yard. The proposal will provide space to store, service and maintain farm vehicles and machinery. The proposed structures will extend 6.2 metres from the existing side elevations and the building designs will be identical to the existing structures. The workshop will measure 11.89 metres in width, with an eaves height of 4.72 metres and a ridge height of 6.7 metres. The extension over the yard will measure 14 metres in width, with an eaves height of</p>

5.5 metres and a ridge height of 7.8 metres. The proposed north elevation will connect to the existing buildings and the east and south elevation will include the existing boundary walls with wooden cladding above. The south and west elevations will also include galvanised steel clad access doors. The proposed structure will include Yorkshire type wooden boarding cladding and big six corrugated grey cement fibre sheeting on the roof.

#### RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the erection of a building over the yard and midden (ref: 4/20/2414/F1).

#### CONSULTATION RESPONSES

##### Millom Without Parish Council

No objection.

##### Environment Agency

The Environment Agency reviewed the Flood Risk Assessment and were satisfied that the assessment of flood risk is appropriate to the nature and scale of this development. The applicant, as owners of the existing property, will be aware of the potential flood risk at this location. As a result of the FRA they should be satisfied that the impact of any flooding will not adversely affect their proposals and therefore they had no objection to the development as proposed.

##### The Council's Flood and Coastal Defence Engineer

No objection as the area benefits from existing flood defences. The development is compatible with being in Flood Zone 3 and it will not increase the impermeable surface area or increase runoff.

##### Public Representations

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

#### 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 ENV5 - Protecting and Enhancing the Borough's Landscape

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM24 – Development Proposals and Flood Risk

Policy DM26 - Landscaping

Policy DM30 – Rural Buildings

**Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended 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**

The key issues raised by this proposal are the principle of development, its scale and design and impact on flood risk and the landscape and visual impact.

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 buildings 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 will provide additional capacity to the farm within the existing farm complex, it is considered to be an appropriate form of development in the countryside. Despite being visible on the south elevation, the proposed buildings 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, there is a proven requirement for the proposed agricultural buildings and therefore the proposal is considered to be an appropriate form of development in the countryside in accordance

with Policies ST2 and DM30 and 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 structures are considered to be appropriate in relation to the existing farm buildings. The pitched roof designs will match the existing buildings and character of the farm. In addition, the proposed cladding material will relate well to the existing farm and the roof sheeting will match the existing buildings on the site. On this basis, the proposal is considered to comply with policies ST1 and DM10.

#### Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be accompanied by a Flood Risk Assessment (FRA). Policy DM24 seeks to protect developments against risks of flooding.

The application is accompanied by a Flood Risk Assessment (FRA) as the site falls within flood zones 2 and 3. The FRA includes flood resilience and mitigation measures to prevent flood damage. All electrical work in the workshop will be wired top down and all sockets and switches will be kept 1.2m above the floor level. In addition, the design of the building will allow floodwater to enter and exit freely via all the existing doors/gates and therefore the measure are considered to be appropriate to protect the buildings from flood damage.

The Environment Agency raised no objection to the proposal, as they are satisfied that the assessment of flood risk is appropriate to the nature and scale of this development. The area is relatively small and the existing use of the area will remain the same. In addition, the site is already concreted and therefore the proposal will only have a very small impact on flooding extent should it occur and it will not cause flood risk elsewhere. The Council's Flood Engineer also raised no objection to the proposal, as the proposal will not increase the impermeable surface area.

On this basis, it is considered that the proposed agricultural buildings will not have a detrimental impact on increasing flood risk and therefore, the proposal is considered to meet Policy DM24 and the NPPG guidance.

#### Landscape and Visual Impact

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 application site falls within the Buckman Hall Farm complex. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 2d 'Coastal Urban Fringe',

	<p>which seeks to enhance, restore and improve the landscape. Despite the proposal being visible from the south of the site, the proposed buildings will be viewed in the context of the existing working farm. This will minimise the impact of the development on the surrounding landscape and therefore the works are not considered to have a significant impact on the character and appearance of the landscape or result in a significant intrusion into the open countryside.</p> <p>The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the CLCGT.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect an agricultural workshop building and an extension to the covered yard adjacent to the existing farm buildings associated with Buckman Hall Farm. The main issues raised by the application are the location of the development within the open countryside and the potential flood risk within flood zone 3.</p> <p>The proposal relates well to the existing farm complex and it will provide additional capacity to the working farm. The scale will be modest and the design is considered to be suitable for its use and reflects the form and appearance of the other structures within the complex. Any adverse impact on the character and appearance of the landscape will be modest. On this basis, there is a proven requirement for the proposed agricultural buildings and therefore the proposal is considered to be an appropriate form of development in the open countryside.</p> <p>In addition, the proposal is considered to be an acceptable form of development within flood zones 2 and 3. The proposal will not have a detrimental impact on increasing flood risk within the site or elsewhere and the flood resilience and mitigation measures are considered to be appropriate.</p> <p>Overall, the potential harm will not significantly and demonstrably outweigh the identified benefits of the development and therefore the proposal 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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence 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>

	<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 1:2500, drawing no 1673, received 15<sup>th</sup> January 2021;  Block Plan, scale 1:500, drawing no 1673, received 15<sup>th</sup> January 2021;  Proposed Floor Plan, scale 1:100, drawing no 1673, received 15<sup>th</sup> January 2021;  Proposed Elevations, scale 1:100, drawing no 1673, received 15<sup>th</sup> January 2021;  Proposed Sections, scale 1:100, drawing no 1673, received 15<sup>th</sup> January 2021;  Design and Access Statement, received 15<sup>th</sup> January 2021;  Flood Risk Assessment, received 15<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> <p>3. Prior to the first use of the building hereby approved, the flood resilience and mitigation measures shall be implemented in accordance with the details set out in the Flood Risk Assessment received by the Local Planning Authority on 15<sup>th</sup> January 2021. These measures shall be retained and maintained at all times thereafter.</p> <p>Reason</p> <p>To prevent flood risk in accordance with Policy DM24 of the Copeland Local Plan.</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: Chloe Unsworth	Date : 09/03/2021
Authorising Officer: N.J. Hayhurst	Date : 10/03/2021
Dedicated responses to:- N/A	