

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2210/OF1	
2.	Proposed Development:	EXTENSION TO AN UNDERGROUND, CONCRETE SLURRY STORE WITH A SLATTED TOP	
3.	Location:	LOW THORNEY, CARLETON, EGREMONT	
4.	Parish:	Haile	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone	
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 Low Thorney, located to the north of Carleton. The application site is located to the west of the existing farm, adjacent to a number of agricultural buildings.	
	Proposal		
		This application seeks planning permission to build an extension to an underground concrete slurry store with a slatted top. The proposed store will be located within the field to the west of the existing farm and agricultural buildings. The proposed slurry store will measure 20m x 14m and will be 2.4m deep. The slurry store will be connected underground to the existing slurry store located within the north of the existing agricultural building located within the north west of the farm yard.	

Consultation Responses

Haile Parish Council

No comments received.

Cumbria County Council – Cumbria Highways & Lead Local Flood Authority

Cumbria Highways have confirmed that taking into account the existing use of the site, 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. However the LLFA requested additional information with regard to drainage.

Following additional details received from the applicant with regard to drainage, Cumbria County Council as the Local Highway Authority and the LLFA have confirmed that they have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Environment Agency

No objections to the proposed development. However the EA have stated that the proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Sludge, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations. Any agricultural development that will result in an increase in cattle numbers or water usage may adversely impact the storage of waste waters, slurry and other polluting matter.

Copeland Borough Council – Scientific Officer

No objections to the proposed development as submitted. The Environment Agency consultation response has provided an informative on the regulatory requirements and Good Practice Guidance.

United Utilities

No comments.

Public Representation

This application has been advertised by way of a site notice and neighbour notification letters issued to ten properties. One letter of support has been received in relation this 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

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM30 – Rural Buildings

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2019)

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 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 Development

Policy ST2 of the Local Plan supports development outside of settlements, which have a proven requirement for such location, including agriculture. 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 is to create an extension to an existing slurry store adjacent to the existing farm complex, these works are considered to be an appropriate form of development in the countryside in accordance with Policy ST2 and DM30 of the Local Plan.

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 site lies in the open countryside adjacent to a number of existing buildings which form the village of Carleton. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5b: Lowland - Low Farmland. The Key Characteristics of the land comprise: undulating and rolling topography, intensely farmed agricultural pasture dominates, patchy areas of woodland provide contrast to the pasture, woodland is uncommon west towards the coast, fields are large and rectangular, and hedges, hedgerow trees and fences bound fields and criss cross up and over the rolling landscape.

The Guidelines for development include: when new development takes place consider opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the wider countryside, reinforcing woodland belts, enhancing water and soil quality and the provision of green corridors from and between settlements could all help reinforce landscape and biodiversity features, and ensure new development respects the historic form and scale of villages creating new focal spaces and using materials that are sympathetic to local vernacular styles. Further ribbon development or fragmented development should be supported where it is compatible with the wider landscape character.

The proposed extension to the existing slurry store will be located within a field directly behind a number of existing agricultural buildings. The field is located at a much lower level than the farm yard and will be set into the ground, this will therefore minimise the impact of the development on the surrounding area. The development also includes a slatted top, however no details of this have been submitted as part of the application. These details will therefore be secured by an appropriately worded planning condition.

The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the NPPF.

Impact on Residential Amenity

Policy ST1, DM10 and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond to the character of the site.

The nearest residential properties are approximately 85m from the proposed location of the slurry lagoon. The existing farm buildings are located in much closer proximity to existing residential properties. The Council's Environmental Health team have offered no objections to this development.

The scale, design and location of the proposed development is considered to be appropriate with regard to the existing farm and is unlikely to cause any demonstrable harm to residential amenity.

The proposal is therefore considered to comply with policies ST1, and DM10 of the Copeland Local Plan and provision of the NPPF.

Planning Balance and Conclusions

This application seeks planning permission to construct an underground slurry store to the west of

	<p>Low Thorney adjacent to a number of existing agricultural buildings. The slurry store will be well screened by existing buildings, is set at a lower level than the farm yard, and is further away from existing residential properties than the existing buildings. The Council's Environmental Health team have offered no objections to this development.</p> <p>On this basis the proposal is therefore 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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"> 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"> - Site Location Plan, received by the Local Planning Authority on the 9th June 2021. - Location of Existing Slurry Tank, received by the Local Planning Authority on the 16th July 2021. - Proposed New Slurry Tank (Amended), Scale 1:200, Received by the Local Planning Authority on the 5th July 2021. - Proposed Slurry Lagoon Sections (Amended), Received by the Local Planning Authority on the 5th July 2021. <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> <ol style="list-style-type: none"> 3. Prior to the commencement of the development hereby approved, full details of the proposed slatted top and its implementation must be submitted to and approved in writing by

	<p>the Local Planning Authority. The development must be carried out in accordance with the approved details and retained at all times thereafter.</p> <p>Reason</p> <p>To ensure that adequate measures are incorporated into the development.</p> <p>Informative:</p> <p>The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations. Any agricultural development that will result in an increase in cattle numbers or water usage may adversely impact the storage of waste waters, slurry and other polluting matter.</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>	
<p>Case Officer: C. Burns</p>	<p>Date : 01.09.2021</p>	
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 03/09/2021</p>	
<p>Dedicated responses to:-</p>		