

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2240/0F1
2.	<b>Proposed Development:</b>	ROOFING OVER AN EXISTING SLURRY STORE & CONCRETING YARD
3.	<b>Location:</b>	WILSON PARK FARM, PICA
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change, Preferred Route Corridor - Within Preferred Route Corridor
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 Wilson Park Farm, located to the east of Pica. The site is accessed by a single track off the C4006 Pica to Dean Cross Road and benefits from a number of agricultural buildings.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought to roof over an existing slurry store and to renew the concrete yard.</p> <p>The proposed structure will measure 24.4 metres in length and 13.7 metres in width. It will include a 15 degree pitched roof and an eaves height of 3.9 metres. The proposal has been designed to match the existing farm buildings with concrete panels on the side elevations and cement fibre sheeting on the roof. The structure will also include the existing bolted gates and doors on the east and west side</p>

elevations.

The concrete yard will measure 13.7 metres by 13.7 metres at the entrance of the covered manure storage area and it will ensure that the area is kept clean and prevent water contamination.

### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the erection of a clearspan livestock building (ref: 4/10/2439/0F1), a clearspan livestock building over existing muck/manure storage building (ref: 4/15/2071/0F1) and to roof over a manure storage area (ref: 4/21/2019/0F1).

A prior notification application for roofing of cattle handling area to reduce dirty water run off has previously been determined as permitted development (ref: 4/18/2319/0N1).

### **CONSULTATION RESPONSES**

#### Consultees

Distington Parish Council – No objections.

Highway Authority – No objections.

Lead Local Flood Authority – No objections.

Environmental Health – No comments received.

The Council's Flood Engineer – No objections.

#### Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 2 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 has recently been 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**

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

#### 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 is to erect a roof over an existing slurry store and renew the concrete yard within the farm complex, it will reduce the risk of agricultural runoff reaching groundwater and surface water. This is therefore considered to be an appropriate form of development in the countryside and it is supported by the Environment Agency. Despite being visible from the surrounding fields, the proposed structure will be located adjacent to the existing farm buildings 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 building and concreting to prevent water contamination 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 structure and area to be concreted are considered to be appropriate with regard to the existing farm buildings. The pitched roof and the heights will match the existing buildings and character of the farm. In addition, the use of matching materials will ensure that the new structure relates well to the existing farm buildings. On this basis, the proposal is considered to comply with policies ST1 and DM10.

### Residential Amenity

Policy ST1, DM10 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The closest residential dwelling is approximately 90 metres away from the proposed structure. In addition, due to the topography and the relationship with the existing farm buildings, the proposed structure will be well screened. On this basis, it is considered that the proposal will have no detrimental impact on residential amenity and therefore the proposal is considered to satisfy Policies ST1, DM10 and the NPPF guidance.

### Impact on Public Right of Way

The proposed structure will be visible from a small section of the Public Right of Way 40418, although it will be modest in scale and it will be viewed in the context of the existing buildings and as such will not have any detrimental impact on the Public Right of Way.

The site visit confirmed the PROW runs through the fields associated with the farm but it will not be directly adjacent to the proposed building, which will be approximately 160 metres away. Due to this distance, it will not significantly harm the amenity of the user and the proposal is considered to satisfy Policy DM10 and NPPF 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 lies within the Wilson Park Farm complex on land currently utilised as a slurry store and farm yard. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 9a 'Open Moorlands' which includes a range of landscapes ranging from open exposed heath moorland, intensely farmed ridges to extensively planted coniferous plateau. The CLCGT seeks to enhance and restore the landscape by creating a harmonious balance between

the moorlands and agricultural features. Despite the proposal being visible from the surrounding fields, the proposed structure will be viewed in the context of the existing working farm and the modern agricultural buildings. The proposed building colours will be muted to match the existing buildings and this will minimise the impact of the development on the surrounding landscape in accordance with the vision in the CLCGT.

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

#### Flood Risk

The NPPF and Policy DM24 seek to protect developments against risks of flooding.

As the proposal is to erect a roof over an existing slurry store and renew the concrete yard within the farm complex, it will reduce the amount of agricultural runoff reaching groundwater and surface water. In addition, the proposal is relatively small and the existing use of the area will remain the same. 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 LLFA surface water map indicates 0.1% (1 in 1000) chance of flooding to the area occurring each year and therefore the LLFA raised no objection as it is considered that the proposal will not increase flood risk on the site or 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 building and concreting will not have a detrimental impact on increasing flood risk and therefore, the proposal is considered to meet Policy DM24 and the NPPG guidance.

#### Planning Balance and Conclusion

This application seeks to erect a roof over an existing slurry store and renew the concrete yard. The main issue raised by the application was the siting of the development within the open countryside and the potential impacts on the landscape character.

The proposal is considered to be appropriately located within the existing farm complex, adjacent to an existing farm buildings and it will reduce surface water contamination which is a clear benefit. 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. It will not have a significant impact on the amenity of the surrounding residential properties or the public right of way and any adverse impact on the character and appearance of the landscape will be modest. The proposal will also not increase flood risk on the site or elsewhere. On this basis, there is a proven requirement for the proposed agricultural building to prevent contamination and therefore the proposal is considered to be an appropriate form of development in the open countryside.

Overall, the potential harm will not significantly and demonstrably outweigh the identified benefits of the development and therefore the proposal is considered to accord with the policies set out within

	the adopted Local Plan and the guidance in the NPPF.
8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></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>Location Plan, scale 1:2500, received 20<sup>th</sup> May 2021;  Birds Eye View Plan, scale 1:100, received 20<sup>th</sup> May 2021;  Proposed Elevations of Slurry Store, received 20<sup>th</sup> May 2021;  Supporting Letters and Information, received 20<sup>th</sup> May 2021;  Site Photographs, received 20<sup>th</sup> May 2021;  Drainage Details Map, received 8<sup>th</sup> July 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><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>

**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. Unsworth****Date : 13/07/2021****Authorising Officer: N.J. Hayhurst****Date : 15/07/2021****Dedicated responses to:- N/A**