

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2274/OF1	
2.	Proposed Development:	ERECT GENERAL PURPOSE BUILDING	
3.	Location:	UNDERWOOD, THE HILL	
4.	Parish:	Millom Without	
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 detached property known as Underwood House, located to the south west of The Hill, Millom. The application site is accessed from the A5093 and adjoins the curtilage of Ghyll Scuar Quarry. The large site comprises of the large detached former Hotel (Underwood House), a Coach House and outbuildings, and a detached property known as Bower Cottage. Relevant Planning History 4/21/2011/OF1 – Change of use of former Underwood House Hotel to a single C3 dwelling house, change of use of Bower Cottage to associated residential accommodation and change of use of former hotel Coach House to office accommodation in association with Slacks Millom Ltd.		

Proposal

This application seeks planning permission to erect a general purpose building. The proposed building will be located within the north west portion of the application site, adjacent to an existing parking area. The proposed building will measure 22.86m x 10.67m, with an eaves height of 3.05m and an overall height of 4.6m. Externally the proposed building will be finished with juniper green box profile sheets to the roof, reinforced concrete panels to the lower walls and 'Yorkshire Type' board cladding to the upper sides of the building.

The application site, Underwood, includes a 5.39 acre field. The applicant also owns 6.05 acres of land at The Green, which combined comprises an 11.44 acres smallholding. The building will be utilised in association with this small holding.

Consultation Responses

Millom Parish Council

Support this application.

Cumbria County Council – Cumbria Highways & LLFA

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and providing the proposal is not used for commercial use 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.

United Utilities

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Public Representation

This application has been advertised by way of a site notice and neighbour notification letters issued to one property. 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

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM30 – Rural Buildings

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 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.

The proposal seeks to erect a general purpose building to serve the applicants registered small holding, which is considered an appropriate form of development in the countryside in accordance with Policy ST2. The proposed building is located to the north west of existing buildings on the site and is well screened by existing vegetation on the site, therefore the development is not considered

to have a significant detrimental impact on the character or appearance of the surrounding area.

Siting, Scale and Design

The property has recently been granted planning permission to change the use of the site from a Hotel to a residential property. As part of this application one of the existing buildings was also granted planning permission to be used in association with the applicant's business, Slacks Millom Ltd.

The proposed building is considered to be of an acceptable size for its purpose and is sited appropriately to minimise its impact. The proposed external material are functional and typical of an agricultural building.

On the basis of the above, 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.

Impact on Landscape Character

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 proposed agricultural building is to be sited in the north west portion of the application site, behind a number of existing buildings. The proposed development would therefore be viewed against the backdrop of these existing properties, and would be screened by the existing well established tree belt and boundary treatment surrounding the site. The proposal is therefore not considered to result in intrusion into open countryside or impact on the surrounding area. A Public Right of Way runs along around the perimeter of the site, however the well-established boundary treatment will ensure the development is not visible from these public vantage points.

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

Highways

Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context. Section 9 of the NPPF promotes sustainable transport. Paragraph 102 states that transport issue

	<p>should be considered from the earliest stages of development proposals, so that the potential impacts of development on transport networks can be assessed, opportunities to promote walking, cycling and public transport are identified and pursued, environmental impact of traffic can be identified, and patterns of movement, street and parking are integral to design of schemes, and contribute to making high quality places.</p> <p>The development will utilise the existing access to the site, with no alterations proposed. Cumbria Highways have been consulted on this application and have offered no objections to the development on the basis that the building is not used for commercial purposes.</p> <p>In order to ensure the proposed general purpose building is utilised for agricultural use and no commercial purposes, an appropriately worded planning condition will be attached to any decision notice to ensure that the use is controlled.</p> <p>On this basis the proposal is considered to be compliant with the Policy DM22 of the Copeland Local Plan and Section 9 of the NPPF.</p> <p><u>Planning Balance and Conclusions</u></p> <p>This application seeks planning permission to erect a general purpose building to serve the applicants small holding. The building is considered appropriate in terms of its siting, scale and design and its use can be controlled by condition. 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 Plan, Block Plan, Elevations, Floor Plan, & Section A.A, Scale 1:50, 1:100, 1:500 &

	<p>1:2500, Drawing No 1692, received by the Local Planning Authority on the 15th June 2021.</p> <p>- Design and Access Statement, received by the Local Planning Authority on the 15th June 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. The general purposed building hereby approved must be used for agricultural purposes only and for no commercial or other purposes whatsoever.</p> <p>Reason</p> <p>To ensure that non-conforming uses are not introduced into the area.</p> <p>Informative:</p> <p>A PROW (public footpath/bridleway/byway) number 416077 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.</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>
Case Officer: C. Burns	Date : 20.07.2021
Authorising Officer: N.J. Hayhurst	Date : 02/08/2021
Dedicated responses to:- N/A	