

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2275/OF1
2.	Proposed Development:	EXTENSION TO EXISTING IMPLEMENT SHED
3.	Location:	MURTON HOUSE, LAMPLUGH
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION <p>The application relates to Murton House farm complex, located to the south-west of Lamplugh. The site is accessed by a single track off the A5086 and benefits from a number of agricultural buildings.</p> PROPOSAL <p>Planning Permission is sought to extend an existing agricultural building. The proposed structure will extend 4 metres from the existing side elevation and it will measure 10.5 metres in depth. It will include a lean-to roof and an eaves height of 4 metres and it has been designed to match the existing structure with an open frontage and steel sheet cladding on the side and rear elevations and on the roof.</p>	

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the erection of a steel framed building to store vintage tractors and machinery (ref 4/01/0870/0).

CONSULTATION RESPONSES

Consultees

Lamplugh Parish Council – No comments received.

Highway Authority – No objections.

Lead Local Flood Authority – No objections.

Coal Authority – No objections.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to three 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 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, the impact on residential amenity, the landscape and visual impact, the public right of way and the coal advice area.

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.

The application site relates to Murton House farm complex, which is located within the open countryside. The agent confirmed the existing implement shed is over 20 years old and it is used to store plant/machinery associated with the running of the small-holding. As the proposal is to extend an existing building within the farm complex and it will provide additional capacity, this proposal is considered to be an appropriate form of development in the countryside.

The agent also provided additional justification and photographs of the site to show the agricultural equipment, which is currently stored next to the existing building. Despite being visible on the northern boundary, the proposed extension will relate to existing buildings and it will provide covered storage for agricultural equipment and machinery and protection from the weather.

On this basis, there is a proven requirement for the proposed agricultural building 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 is considered to be appropriate with regard to the

existing farm building. The roof pitch and height will reflect the existing building and character of the small-holding. In addition, the use of matching materials will ensure that the new structure relates well to the existing building. 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 75 metres away from the proposed structure. In addition, due to the relationship with the existing buildings and hedges along the boundary, the proposed structure will be well screened. Although, to protect residential amenity and ensure the building remains agricultural in nature, the use of the proposed building can be controlled by means of a planning condition. This will help to minimise impact on the amenities of the occupiers of surrounding dwellings.

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.

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 Murton House farm complex on land currently utilised for the parking of farm vehicles adjacent to the existing agricultural building. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5b 'Lowland – Low Farmland' which includes an intensively farmed agricultural land. The CLCGT seeks to conserve and enhance the well-maintained working landscape.

The development is considered to be suitably located adjacent to the existing building and it ensures the character of the area is not eroded with development away from the traditional farmstead. Despite the proposal being visible from the adjacent field, the structure will be viewed in the context of the existing agricultural buildings. The structure will match the existing building 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.

	<p><u>Impact on Public Right of Way</u></p> <p>The proposed structure will be visible from a small section of the Public Right of Way 412006, 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 users of the Public Right of Way.</p> <p>The site visit confirmed the PROW runs through the field associated with the farm but it will not be directly adjacent to the proposed building, which will be approximately 50 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.</p> <p><u>Coal Advice Area</u></p> <p>Based on the site location plan, part of the application site is located within the defined 'Development High Risk Area' and therefore the Coal Authority was consulted. The Coal Authority confirmed their records indicate that the potential zone of influence of an off-site mine entry (ironstone shaft 307520-006) encroaches across the eastern end of the existing access into the site from the A5086. However, the part of the site where the development is proposed lies outside of the defined High Risk Area.</p> <p>As such, and on the basis that the recorded mining legacy affecting the site is not coal related, it was not considered that a Coal Mining Risk Assessment was necessary to support the proposal and no objections were raised. Although an informative note for development within a coal mining area can be included for the applicant's information.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to extend an existing farm building at Murton House. 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 relates to existing farm buildings and it will provide additional covered storage for the farm and as such is considered to be an appropriate form of development within open countryside.</p> <p>The proposal is considered to be appropriately located adjacent to an existing farm building and will be modest in scale. The design is also considered to be suitable for its use and the proposal will have little impact on residential amenity, the landscape and visual impact or the public right of way due to the topography and existing screening.</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>Recommendation:</p> <p>Approve (commence within 3 years)</p>

9. **Conditions:**

1. The development hereby permitted must commence before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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: -

Location Plan, scale 1:1250, drawing no. 21/02/988-01, received 15th June 2021;

Site Plan, scale 1:500, drawing no. 21/02/988-02, received 15th June 2021;

Existing Floor Plan and Elevations, scale 1:100, drawing no. 21/02/988-08, received 15th June 2021;

Proposed Floor Plan and Elevations, scale 1:100, drawing no. 21/02/988-09, received 15th June 2021.

Reason

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.

3. The building hereby approved must only be used for agricultural purposes relating to the small-holding at Murton House and for no other purposes whatsoever.

Reason

To ensure that non conforming uses are not introduced into the area.

Informative Notes

1. A PROW (public footpath) number 412006 lies adjacent to/runs through the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

2. 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.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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 : 09/08/2021

Authorising Officer: N.J. Hayhurst

Date : 10/08/2021

Dedicated responses to:- N/A