

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2296/OF1
2.	<b>Proposed Development:</b>	ERECT AGRICULTURAL GENERAL PURPOSE/WORKSHOP BUILDING
3.	<b>Location:</b>	CASTLERIGG FARM, MORESBY PARKS
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: NO  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>This application relates to Castlerigg Farm which is located to the north of Moresby Parks. The farm is accessed by a small lane that joins onto the minor road leading from Moresby Parks to Distington. The access lane only serves the Castlerigg Farm complex.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought to erect a new agricultural building for use in conjunction with the existing farm activities. It will be utilized for the storage of tractors, trailers, silage trailers, mowers, manure spreaders and diggers. There will also be an ancillary workshop section for the maintenance and servicing of this equipment.</p>

The building will be located to the west of the farm house at a height approximately 6.9m lower due to the land topography. It will be 41.15m in length and 15.24m in width with a dual pitched roof. The eaves will be 4.27m and the overall height 6.6m. The overall floor area will be 627.126m<sup>2</sup>.

The building will be constructed from reinforced concrete panels with juniper green (BS 12.B.29) profile sheeting above including the roof. The sliding doors will be also be finished with juniper green cladding. A track will be formed to serve the building off the main farm access lane.

### **RELEVANT PLANNING APPLICATION HISTORY**

4/09/2133/0 : Change of use of agricultural land for levelling of garden area to rear & improved access to transmitter - 11/05/2009 - approve (commence within 3 years)

4/13/2125/0F1 : Erection of one wind turbine (up to a maximum height of 77m to blade tip) and associated infrastructure including: turbine foundation, crane hard-standing, substation, electrical cabinet, new access track and underground cabling.

4/13/2125/0F1 : Erection of one wind turbine (up to a maximum height of 77m to blade tip) and associated infrastructure including: turbine foundation, crane hard-standing, substation, electrical cabinet, new access track and underground cabling - 16/04/2014 - Approve (commence within 3 years)

4/14/2309/0F1 : Variation of condition 9 of planning ref 4/13/2125/0f1 (erection of wind turbine) regarding noise.

4/14/2309/0F1 : Variation of condition 9 of planning ref 4/13/2125/0f1 (erection of wind turbine) regarding noise - 12/11/2014 - Approve (commence within 3 years)

4/15/2240/0F1 : Erection of general purpose building - 28/07/2015 - Approve (commence within 3 years)

4/21/2123/0F1 : Erect two storey extension to north elevation - Approve

### **CONSULTATION RESPONSES**

#### Parish Council

No objections

#### Cumbria Highways

No objections as it is considered that the proposal is unlikely to have a material effect on the existing highway conditions.

#### Local Lead Flood Authority

No objections, however full details of the surface water drainage system should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

### United Utilities

No objections, the Applicant should implement a drainage scheme in accordance with the hierarchy.

### Countryside Access Officer

Public Footpath 417002 follows an alignment to the south side of the proposed development area and must not be altered or obstructed before or after the development has been completed, if the Footpath is to be temporarily obstructed, then a formal temporary closure will be required, there is a 12 week lead in time for this process, please contact [Sandra.smith@cumbria.gov.uk](mailto:Sandra.smith@cumbria.gov.uk) for further information.

### Public Representation

The application has been advertised by way of a site notice.

No consultation responses have been received.

## **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 ENV1 – Flood Risk and Risk Management

Policy ENV5 – Protecting and Enhancing the Boroughs Landscape

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM30 – Rural Buildings

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

## Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently 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**

### 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. Policies DM10 and DM30 also seek to ensure appropriate design.

On the basis that there is a proven requirement for the proposed agricultural building the proposal is considered to be an appropriate form of development in the countryside in accordance with Policies ST2 and DM30 and NPPF guidance

### Justification for location

In accordance with criteria A of Policy DM30, the proposed agricultural building will be sited in a location within the existing farm complex. The site is brownfield land having previously been utilized for the siting of a farm building. The location has good access and is close to two further farm buildings and the farm house to the east. The building will be utilized for the existing farm activities and therefore the location within the unit is considered to be practical.

### Visual and Landscape Impacts

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 building has been sited in a position at a lower level than the existing farm unit and is therefore unlikely to be seen from the south, north or east. Although it is likely that the building will be visible

in long views from the west, it will be seen in context with the original farm complex and will be set within the slope of the land.

The chosen materials are typical of agricultural buildings of this type and the proposed colour of Juniper Green will help to soften its impact and help it to blend in to its surroundings.

It is considered that the building is of an appropriate scale and design with a typical use of materials that will enable it to have little impact on the surrounding landscape character in accordance with criterion B, C, D and E of Policy DM30, Policy DM10 and Policy ENV5 the Copeland Local Plan.

#### Impact on Residential Amenity

Other than the farmhouse, there are no neighbouring properties, with the closest residential property being approximately 450 metres to the west of the site. Due to this separation distance, the development is unlikely to cause any harm to the occupiers' amenities in accordance with criteria E of Policy DM30 of the Copeland Local Plan.

#### Access and Highway Safety

The existing access to the east of the proposal will remain in use and unaffected by this proposal. The access road will be extended to serve the new building with the addition of a hardcore track which will meet with the farmyard road leading to the main road to Distington and Moresby Parks. Cumbria Highways raised no objections to the proposal stating that there is unlikely to be a material effect on the existing situation.

#### Public Right of Way

Although the Public Right of Way 417002 runs adjacent to the application site and the agricultural building will be visible from a small section of the public footpath, it will be viewed in the context of the existing farm and residential dwelling and as such will not have any detrimental impact on the Public Right of Way.

The site visit confirmed the PROW runs through the field adjacent to the farmyard and will be approximately 50 metres away from the proposed new building. Due to this distance, it is not considered that the proposed building will harm the physical footpath or the amenity of the footpath user. On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.

#### Drainage

The applicant has stated that the surface water drainage will be into water butts with the overflow to a soakaway. Details of this proposal have not been included in the application, although it is acceptable in principle. The Local Lead Flood Authority have requested that full details be provided prior to the commencement of the development. This can be secured by the use of a suitably worded planning condition.

#### Planning Balance and Conclusion

	<p>No objections have been received to the proposal.</p> <p>The proposed agricultural building is considered to be of an acceptable scale and design and its siting adjacent to the existing building complex will reduce its impact within the wider landscape.</p> <p>The separation distance with the nearest surrounding properties will ensure that any impact to residential amenity is minimal. The building will be served by the existing access and it will not result in any significant increase in the use which would impact highway safety.</p> <p>Overall this is considered to be an acceptable form of development which accords with Policies ENV5, DM10 and DM30 of the Local Plan and the guidance set out in the NPPF.</p>
8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li data-bbox="181 821 1505 890">1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <p style="margin-left: 40px;">Reason</p> <p style="margin-left: 40px;">To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> </li> <li data-bbox="181 1129 1505 1199">2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - <p style="margin-left: 40px;">Site Plan, Block Plan, Floor Plans, Elevations and Section, drawing number 1698, received 25<sup>th</sup> June 2021; Design and Access Statement, written by RA Walker, received 25<sup>th</sup> June 2021.</p> <p style="margin-left: 40px;">Reason</p> <p style="margin-left: 40px;">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> </li> <li data-bbox="181 1593 1505 1740">3. Full details of the surface water drainage system must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter. <p style="margin-left: 40px;">Reason</p> </li> </ol>

To ensure a satisfactory scheme of surface water disposal from the site in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

**Informative**

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](http://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: Sarah Papaleo**

**Date : 17/08/2021**

**Authorising Officer: N.J. Hayhurst**

**Date : 20/08/2021**

**Dedicated responses to:- N/A**