

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2347/OF1	
2.	<b>Proposed Development:</b>	CONSTRUCTION OF AGRICULTURAL LIVESTOCK BUILDING AND STABLE BLOCK TO REPLACE NOW DEMOLISHED BARN BUILDING AND STABLE BLOCK	
3.	<b>Location:</b>	FLEMING HALL, ACCESS ROAD TO FLEMING HALL AND NEWTON MANOR FROM THE A595T, GOSFORTH	
4.	<b>Parish:</b>	Gosforth	
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone	
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>		
	<b>Site and Location</b>		
	This application relates to Fleming Hall Farm, located to the west of Gosforth. The dairy farm comprises of a farmhouse, eight barns and associated outbuildings. The farm is accessed via a single access track and is within the open countryside.		
	<b>Relevant Planning History</b>		
	4/19/2328/OF1 – Application for prior notification of proposed demolition of barn – Approved		
	4/19/2311/OF1 – Application for prior notification of proposed demolition of stable block – Approved		

## **Proposal**

In September 2019, prior notification was granted (ref: 4/19/2311/0F1) for the demolition of the existing stable block at this site. The stable block was sited to the south of the site and demolition was necessary as the building has been deemed unsafe and at risk of collapse. Also in September 2019, prior notification was granted (ref: 4/19/2328/0F1) for the demolition of one of the existing barns on this site. The barn was sited to the east of the stable block and demolition was deemed necessary as the barn was no longer fit for purpose and was in poor structural condition.

This current application seeks planning permission for the construction of an agricultural livestock building and a stable block to replace the now demolished barn and stable block.

The proposed agricultural building will be sited in the same location as the previously demolished barn, and will measure 15m x 22m. The building will benefit from an eaves height of 4.2m and an overall height of 5.5, and will include an overhang canopy of 1.2m. Externally, the proposed building will be finished with precast concrete panels to lower walls, Yorkshire cladding to upper walls, juniper green insulated kingspan or cladding panels to the roof, and translucent rooflights to match the proposed cladding.

The proposed stable block will not be located on the footprint of the demolished stable building. The proposed stables will be sited to the west of the farm yard adjacent to the farm building. The stables will measure 4m x 22.94m, with an overhang canopy of 1.2m. The development will benefit from an eaves height of 2.998m and an overall height of 3.75m. The development will create six stables and will be finished externally with smooth beige render walls, a block pvc fascia, smooth grey concrete roof tiles, and split stable doors.

## **Consultation Responses**

### Gosforth Parish Council

No objections.

### Cumbria County Council – Cumbria Highways & LLFA

Cumbria County Council initially requested that the agent confirmed whether the stables would be used for personal or commercial use. Following the agents confirmation that the proposed livestock building and stables are to be built for personal use and not for a commercial purpose, Cumbria Highways confirmed that the development will not result in an intensified use of the access that joins the A595. On this basis, 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 subject to the inclusion of a condition relating to surface water discharge.

### Copeland Borough Council – Environmental Health

No comments received.

Cumbria County Council – Footpaths Officer

Public Footpath 409011 follows an alignment to the south of the 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

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

Policy DM26 – Landscaping

**Other Material Planning Considerations**

National Planning Policy Framework (2021)

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.

As the proposal is to create a new agricultural building and stable block which will effectively replace similar structures that have previously been demolished at this site and they will be sited 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 DM 30 of the Local Plan.

### Siting, Scale and Design

This application seeks planning permission for the construction of an agricultural livestock building and a stable block to replace the now demolished barn and stable block which were previously sited within this farm complex. The site is located within the open countryside, with no nearby neighbours, therefore the development is not considered to have any adverse impact on any residential amenity. The developments are of a scale reflecting the previous and existing buildings within the site.

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.

### 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 is located within the open countryside and forms part of the existing farm complex. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5b 'Lowland – Low Farmland'. This area is characterised by undulating and rolling topography, and intensely farmed agricultural pastures dominates.

The proposed buildings will replace those previously demolished at this site. The buildings will be located in similar positions to the previous structures and are therefore well related to the existing farmhouse and farm buildings. The proposed developments would therefore be viewed against the backdrop of these existing agricultural building complex, and the proposal is therefore not considered to result in intrusion into open countryside or impact on the surrounding area.

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 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.

The development will utilise the existing access to the site, with no alterations proposed. The agent has confirmed that the stable building will be used for personal use, therefore the use of the site will not be intensified. Cumbria Highways have been consulted on this application and have offered no objections to the development but have requested a condition relating to surface water drainage. To ensure the use of the site is as detailed by the agent an appropriately worded planning condition will be attached to the decision notice.

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.

#### Planning Balance and Conclusions

This application seeks planning permission for the construction of an agricultural livestock building and a stable block to replace the now demolished barn and stable block which were previously sited within this farm complex. The buildings are considered appropriate in terms of use and scale in this location, and both their use and the provision of surface water drainage can be adequately controlled by condition.

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.

8. **Recommendation:**  
Approve (commence within 3 years)

9. **Conditions:**

Standard Conditions:

1. The development hereby permitted must be commenced 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 shall be carried out in accordance with them:-
  - Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 2<sup>nd</sup> August 2021.
  - Proposed Site Plan, Scale 1:100, Drawing No: AA6876/ST/01, Rev D, received by the Local Planning Authority on the 2<sup>nd</sup> August 2021.
  - Proposed Stable Elevations, Scale 1:50, Drawing No: AA6876/ST/02, Rev E, received by the Local Planning Authority on the 2<sup>nd</sup> August 2021.
  - Proposed Cattle Shed Elevations Sheet 1 of 2, Scale 1:50, Drawing No: AA6876/ST/03, Rev F, received by the Local Planning Authority on the 2<sup>nd</sup> August 2021.
  - Proposed Cattle Shed Elevations Sheet 2 of 2, Scale 1:50, Drawing No: AA6876/ST/04, Rev G, received by the Local Planning Authority on the 2<sup>nd</sup> August 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.

Pre Commencement Conditions:

3. Full details of the surface water drainage system for the development hereby approved must be submitted to and approved in writing by the Local Planning Authority prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational at all times thereafter.

Reason

In the interests of highway safety and environmental management.

Other Conditions:

4. The stable block hereby permitted must only be used for domestic private use in connection with the dwelling known as Fleming Hall, Gosforth, and must not be used for any commercial or business purposes whatsoever.

Reason

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

**Informatives:**

1. A PROW (public footpath/bridleway/byway) number BW409039 and FP409011 lie adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.
2. Public Footpath 409011 follows an alignment to the south of the 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.

**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. Burns

**Date :** 13.09.2021

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

**Date :** 13/09/2021

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