



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2349/OF1	
2.	Proposed Development:	CONVERSION OF FORMER CALVING SHEDS TO A DWELLING WITH PARKING AND AMENITY SPACE	
3.	Location:	REDUNDANT FARM BUILDINGS, ROTTINGTON HALL ESTATE, ROTTINGTON	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, 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 Policies	See Report
7.	Report: Site and Location This application relates to a redundant calving barn which is part of the Rottington Hall Farm Estate, located within the small hamlet of Rottington. The barn is part of a group of barns, most of which have been converted to dwellings. Relevant Planning History 4/18/2122/OF1 - Prior approval of proposed change of use for conversion of redundant former calving sheds to form a two bed single storey dwelling with associated parking and amenity space - Approved 4/20/2494/OF1 – Prior approval of proposed change of use for conversion of redundant former calving sheds to form a two bed single storey dwelling with associated parking and amenity space -		

Withdrawn

Proposal

This application seeks planning permission for the conversion of the former calving sheds to a dwelling with associated parking and amenity space.

Prior notification for the change of use to a dwelling house was previously granted in 2018 (ref: 4/18/2122/0F1), however amendments to approved the scheme were proposed. As prior approvals cannot be amended a new prior notification was submitted (ref: 4/20/2494/0F1), however this was withdrawn as works had commenced on site meaning a full application was now required.

The proposed conversion will fall within the existing structure of the calving sheds, with no extensions proposed. Part of the building to the south of the site will be demolished to create a larger entrance to the site. The proposed will be single storey accommodating an open plan dining/kitchen/lounge, an office, two bathrooms, two bedrooms, a store, and a bin storage area. The U shaped building will have all openings facing into the courtyard which is to be utilised for a parking and amenity space. As part of this development external alterations are proposed including:

- The insertion of three roof lights within the north roof slope
- The addition of a small window and the enlargement of an existing opening within the north elevation; and
- The additional of a window opening within the west elevation.

Externally the existing asbestos roof sheets will be removed and replaced within second-hand Brazilian green roof slate to match the adjacent buildings. Windows and doors will be fitted within double glazed timber painted frames, and the gutters and downpipes will be powder coated aluminium.

Consultation Responses

St Bees Parish Council

No objections.

Cumbria County Council – Cumbria Highways & LLFA

26th August 2021

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we 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.

As this application is for a single property below the statutory consultation level for the Lead Local

Flood Authority, the Local Planning Authority are advised to ensure any surface water drainage design complies with the Building Regulations process which will be managed by through Building Control.

10th January 2022

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we 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.

As this application is for a single property below the statutory consultation level for the Lead Local Flood Authority, the Local Planning Authority are advised to ensure any surface water drainage design complies with the Building Regulations process which will be managed by through Building Control.

United Utilities

16th August 2021

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.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

14th January 2022

I've had a look at this and whilst they may have submitted a drainage plan there isn't actually any of our assets in the area and therefore the drainage won't be connecting to any of our systems. We

wouldn't comment on a drainage plan when there are no connections to UU assets.

Natural England

No objections. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Public Representation

This application has been advertised by way of a site notice and neighbour notification letters issued to four properties. No formal comments have been received in relation to the statutory notification procedure, however one neighbouring property did raise concerns about drainage over the telephone.

The four neighbouring properties were also reconsulted on the amended information for this application and no comments were received in relation to this 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 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy T1 – Improving Accessibility and Transport

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM15a – Conversion of Rural Buildings to Residential Use

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (2019)

National Design Guide (NDG).

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

Emerging Copeland Local Plan (ECLP):

The emerging Copeland Local Plan 2017-2035 has recently been subject to a Preferred Options Consultation which ended on 30th 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

This application seeks planning permission for the conversion of the former calving sheds to a dwelling. This application raises issues of the principle of the development, scale, design and impact on amenity, ecology, and flood risk and drainage.

Principle of Development

Policy ST1 and ST2 of the Copeland Local Plan seeks to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. Policy ST2 restricts development outside of defined settlement boundaries other than that which have a proven requirement, including conversion of rural buildings to residential use. Policy DM15a aims to restrict development that involves the conversion of rural buildings, to those that are structurally sound and capable of conversion works, conserve the traditional appearance and character, incorporate reasonable standards of amenity, and are within or well related to a village or existing group of buildings.

The principle of converting these redundant calving sheds to a single dwelling has previously been

established by a prior approval application granted in 2018 (ref: 4/18/2122/0F1). As the applicant wanted to make some external alterations to the proposal and works had already commenced on site, the proposal no longer met the requirements of Class Q, Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This current application is therefore a resubmission of the previously approved scheme with some minor external alterations including additional openings.

The proposed conversion would be achieved within the existing structure of the building with no extensions proposed. The development does include some minor alterations to the external appearance of the property, including an additional window and roof lights, however the development is considered to conserve the traditional character of the building.

On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Scale, Design and Impact on Amenity

Policy ST1 and section 12 of the NPPF seek to safeguard good levels of residential amenity. Policy DM18 seeks to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

Policy DM15a aims to restrict development that involves the conversion of rural buildings, to those that are structurally sound and capable of conversion works, conserve the traditional appearance and character, incorporate reasonable standards of amenity, and are within or well related to a village or existing group of buildings.

This application seeks planning permission to convert the redundant calving shed into a dwelling house. Originally the scheme proposed the addition of new window within the west external elevation of the site, facing the adjacent property The Mill. Based on concerns regarding overlooking and compliance with DM15a the agent for this application has removed this window, so all opening face into the courtyard within the centre of the U shaped building. The proposal is therefore not considered to create any overlooking or amenity concerns for nearby residential properties.

Concerns were also raised with the agent following a site visit to the property regarding the overall height of the replaced roof and the depth of the new facias which would change the character of the property and would therefore not comply with policy DM15a. Based on these concerns the agent submitted a plan to show the difference in rafters within the old and new roof structure. The plans show that there is only 100mm in difference in the new roof, therefore the change is not considered to significantly alter the character of the property. The agent has also confirmed in email correspondence that the new facias will be cut down in depth by 100mm which will ensure they will be hidden by the proposed guttering. In order to ensure the development complies with DM15a and the proposed alterations preserve the character of the building the works to the facias will be secured by condition to make sure these works are completed prior to the first occupation of the

dwelling.

Based on these amendments to the proposal is also considered that the development conserves the traditional appearance and character of the building, and is considered to comply with the requirements of Policy DM15a and DM18 of the Copeland Local Plan and the provisions of the NPPF.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposal that are likely to have an effect on nature conservation sites, habitats and protected species.

The building to which this application relates falls within the planning and development trigger list for bat surveys contained within the Bat Conservation Trust Bat Surveys Good Practice Guidelines. The bat and bird survey submitted for this application concludes that the interior of the building has no field signs of barn owls, birds and bats, however there is potential for bats to be present in areas inaccessible to the survey. The report highlights a number of measures to minimise the risk to these bats and birds, therefore a condition has been attached to this permission to ensure the development is completed in accordance with these proposed mitigation measures. An informative has also been included within the decision notice to ensure that if any bats, or evidence of this species, are found during construction works the applicant informs the relevant bodies.

Natural England have also offered no objections to this application.

On this basis, it is considered that the proposed mitigation is acceptable and the development complies with ENV3 of the Copeland Local Plan.

Drainage and Flood Risk

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zone 1, therefore a Flood Risk Assessment has not been submitted to support this application.

Following concerns raised by a neighbouring property the agent for this application has submitted additional drainage information. This document confirms that all drains are connected into an existing private drainage system. The foul drainage from this development will be connected into a private sewage treatment plan before entering Rottington Beck, where the surface water will also discharge.

	<p>No objections have been raised in relation to this matter from statutory consultees.</p> <p>On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.</p> <p><u>Planning Balance & Conclusions</u></p> <p>The principle of converting these redundant calving sheds to form a single dwelling has previously been established by a prior approval application granted in 2018. Given that there are no major external alterations to the property to accommodate the change of use, the development is considered to conserve the traditional appearance and character of the building. Amendments to the scheme have also ensured that the development does not create amenity issues for neighbouring properties. 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> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development must be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission. <p>Reason</p> <p>To comply with Section 92 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 must be carried out in accordance with them:- <ul style="list-style-type: none"> - Existing and Proposed Plans, Elevations, and Location Plans (Amended), Scale 1:100, 1:500 & 1:1250, Drawing No 01, Rev C, received by the Local Planning Authority on the 15th November 2021. - Visual Structural Inspection Of Calfs Nook Attached Barn, Prepared by WDS Ltd April 2021, received by the Local Planning Authority on the 3rd August 2021. - Scoping Survey for Bats, Barn Owls & Breeding Birds, Prepared by Steve Wake, received by the Local Planning Authority on the 3rd August 2021. - Drainage, received by the Local Planning Authority on the 14th December 2021.

- Rafter Difference in More Detail, received by the Local Planning Authority on the 15th November 2021.
- Email Correspondence: Rottington Hall Estate, received by the Local Planning Authority on the 15th November 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.

Prior to Occupation Conditions:

3. Prior to the first occupation of the development hereby permitted the existing fascias must be cut down in depth by 100mm in line with the approved document 'Email Correspondence: Rottington Hall Estate, received by the Local Planning Authority on the 15th November 2021'. The fascias will remain as such at all times thereafter.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

Other Conditions:

4. The development must implement all of the mitigation and compensation measures set out in the approved document Scoping Survey for Bats, Barn Owls & Breeding Birds, Prepared by Steve Wake, received by the Local Planning Authority on the 3rd August 2021.

Reason

To protect the ecological interests evident on the site, in accordance with policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking or re-enacting that Order with or without modification) no external alterations, including replacement windows, doors or skylights and roof coverings, or painting or rendering shall be carried out to the property, nor shall any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be constructed within the curtilage without the prior written consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

6. All rooflights to be installed in the building hereby approved must be of a conservation design and, fitted flush with the slated roof surface and shall remain as such at all times thereafter.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

7. The proposed windows and doors permitted within this development must be of a timber construction and a painted finished, and must be maintained as such at all times thereafter.

Reason

To safeguard the traditional appearance of the barns/buildings in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

8. The roof of the converted building hereby permitted must be finished with slates as detailed within the approved document 'Email Correspondence: Rottington Hall Estate, received by the Local Planning Authority on the 15th November 2021'. The slates must be maintained as such at all times thereafter.

Reason

To safeguard the traditional appearance of the converted building in the interests of visual amenity in accordance with policy DM15a of the Copeland Local Plan.

Informatives:

1. During construction if any bats or evidence of bat is found within this structure the application should contact the National Bat Helpline on 0345 1300 2288 for advice on how to do works lawfully.
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. Burns

Date : 17.01.2022

Authorising Officer: N.J. Hayhurst

Date : 21/01/2022

Dedicated responses to:-