



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2361/001	
2.	Proposed Development:	OUTLINE APPLICATION FOR CONVERSION OF AGRICULTURAL BARN AND ASSOCIATED FARMYARD TO PROVIDE THE PHASED DELIVERY OF UP TO 5 NO. SELF, CUSTOM OR DEVELOPER BUILT RESIDENTIAL DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AND ANCILLARY FACILITIES WITH ACCESS DEFINED & ALL OTHER MATTERS RESERVED	
3.	Location:	CROFT END FARM, BECKERMET	
4.	Parish:	Beckermets with Thornhill	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Safeguard Zone – Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to Croft End Farm which is located within the east of Beckermets. The farm site is located to the south of Nursery Road and the majority of the site is located within the Beckermets Conservation Area. The application site comprises of a large traditional barn and dilapidated outbuildings adjacent to the highway and a number of farm buildings and an area of farm yard to the	

rear of the site.

Relevant Planning History

4/92/0107/0 – Below ground shuttered concrete dirty water tank – Refused

Proposal

This application seeks outline approval for the conversion of the existing agricultural barn and associated farmyard to provide the phased delivery of up to five self-build, custom build or open market residential dwellings with associated infrastructure and ancillary facilities. Details of access have been defined within the application and all other matters are reserved for future approval.

A details plan and supporting access advice document has been submitted with this application to show how access can be achieved from Nursery Road to the north of the application site. The proposal will utilise the existing farm access. The existing access is 4.4m wide and sits between the existing sandstone boundary wall and the attached dilapidated outbuildings and small detached outbuilding fronting the site. As part of this application the existing attached outbuildings to the east of the access will be demolished to enable parking and turning areas to be provided to serve the converted barn. The proposed access will provide visibility splays of 2.4m x 60m in both directions along Nursery Road with the existing sandstone wall and detached outbuilding reduced in height to 1.05m maximum.

Whilst all other matters are reserved for subsequent approval, an indicative layout plan has been submitted with this application to show how the site could accommodate a residential development of the scale proposed. A design code has also been submitted to support this application. It is proposed that the existing barn will be converted to a maximum of two dwellings and the submitted design code states that the conversions will be carried out to comply with Policy DM13 of the Copeland Local Plan, including any additional windows, and will be designed to front onto Nursery Road. The indicative layout indicates that a single access road will run along the west of the site to a large parking and turning area, and three residential dwellings. The indicative plan indicates that two of these dwellings will be semi-detached and the other detached. It is anticipated that these dwellings will be three bedroomed properties, and the design code sets out that they will not exceed 2.5 storey in height, will be orientated north to south, and will be constructed from traditional materials.

This outline application is accompanied by the following documents:

- Location Plan
- Existing Site Plan
- Indicative Site Layout Plan
- House Types Indicative

- Site Survey And Barn Elevations
- Letter: Structural Integrity of Barn
- Supporting Planning, Design & Heritage Statement
- Ecological Impact Assessment
- Flood Risk Assessment
- Proposed Site Entrance and Visibility Splays
- Design Code
- Proposed Access Details

Consultation Responses

Beckermeth and Thornhill Parish Council

Beckermeth with Thornhill Parish Council have no objections to the application.

However, it was proposed that the bin storage area at the front of the site was moved outside of the visibility splay to safeguard against the potential interference with the visibility splay and improve the access point. The applicant's representative agreed to contact the planning department at Copeland Council direct to agree an appropriate planning control.

Cumbria County Council – Highway Authority & LLFA

8th September 2021

Local Highway Authority response:

The LHA has some concerns regarding the visibility of the proposed access to this site.

The proposed access joins the C4013 public highway where there is a 30mph speed limit in operation. The required visibility splay for a 30mph speed road should be 60m at the minimum in both direction back by 2.4m and at a height of 1.05m above the carriageway. Drivers need to be able to see obstructions 2m high down to a point 600mm above the carriageway. The latter dimension is used to ensure small children can be seen. Within the visibility splay or sight line envelope there should be no obstructions to vision such as walls or vegetation etc within the vertical profile. If any obstructions need to be reduced or removed within the visibility splay, it should be within the applicant's ownership.

It would appear that any achievable splays will cross third party land meaning that a legal agreement to protect any splays will be required.

The access will serve 5no. Dwellings and in accordance with the Cumbria Development Design Guide,

will need to be a minimum of 4.1m wide for the first 10m into the site.

The proposed plans state that the existing 2m boundary wall will be reduced to a height of 1m which would be acceptable however the height of the proposed bin storage area will also need to be reduced to 1m.

We have some concerns regarding the practicality of some of the proposed parking spaces however layout can be considered at the detail planning stage.

Lead Local Flood Authority response:

The applicant is proposing to discharge surface water into the combined sewer. The LLFA would require the applicant to show that the drainage hierarchy has been considered and this is the only suitable means of surface water drainage for the site in line with the NPPG.

It is also noted that part of the site is within Flood Zone 2 and a flood risk assessment (FRA) will be required.

1st October 2021

Further to the agent's response to our comments on this application, the LHA appreciate that the proposed residential access is existing as an agricultural access. We, however, feel the proposed change of use is significant and that improvements to the existing access are a justifiable request. Although the boundary walls are proposed to be lowered to 1m to enhance visibility; the applicant required to submit 60 x 2.4 x 60 meter visibility splays from the access. If 60m in both directions cannot be achieved then we recommend that a speed survey is carried out in an effort to reduce the required splays.

Our comments made in regards to the existing access improvements should still be considered.

5th October 2021

Further to the agent's response to our comments on this application, the LHA appreciate that the proposed residential access is existing as an agricultural access. We, however, feel the proposed change of use is significant and that improvements to the existing access are a justifiable request. Although the boundary walls are proposed to be lowered to 1m to enhance visibility; the applicant required to submit 60 x 2.4 x 60 meter visibility splays from the access. If 60m in both directions cannot be achieved then we recommend that a speed survey is carried out in an effort to reduce the required splays.

Our comments made in regards to the existing access improvements should still be considered.

2nd November 2021

Thank you for sending the existing visibility splay plan. It is understood that the reduction in wall height and the removal of the existing barn will result in improved splays for this access but given the proposed intensification, the applicant/agent needs to demonstrate that either 60 x 2.4 x 60 meters can be achievable from this access following the wall reduction or the 85th%ile result from a speed survey that would be low enough to reduce the requirements as it would give an idea of the actual speeds travelled here.

There is no footway on this stretch of road meaning that 2.4 x 2.4 x 2.4 meter pedestrian splays would also be necessary in the interest of pedestrian and cyclist safety. The plan submitted shows that as things currently stand this is also not achievable.

17th January 2022

I think in all practical terms that the drawing provided will be a vast improvement to the current situation.

Splays will be as per the design guide and the off set of the y distance is acceptable.

I think the only concern is that the splays goes over third party land and this land is not in the red line. We can therefore not condition the splays.

If you are confident that the splays can be safeguarded then we would be willing to condition that the works as shown on drawing no xxx should be completed prior to any building works string on site.

As stated above, this is however dependant on the ability of the splays over neighbouring land to be secured / or protected.

27th January 2022

In short, I agree with the extends of the splay. I agreed that in my original email. The issue I had was for the crossing of third part land.

I fully agree with RG Parkings on the need for a future planning application if the neighbour were to wish to make changes to the hight of their wall.

My concern was that this would not have been an impediment to their wall currently. Admittedly this is not a very strong argument as this is an existing access so protection already exists.

To be honest I am in your hands as to the strength of the planning protection on current splays.

31st January 2022

I can confirm that, considering the road layout, parked cars and low neighbouring walls allowing for visibility over them, that the splay condition can be amended to read as follows:

The development shall not commence until visibility splays providing clear visibility of 2.4 metres by site maximum towards both sides, measured down the centre of the access and then 0.5m from the nearside channel line of the carriageway edge have been provided at the access with the county highway. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

United Utilities

6th September 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. UU have requested conditions relating to surface water and foul water.

5th October 2021

Further to our review of the submitted drainage documents; Flood Risk Assessment, Ref: 2020-48c, dated: 20th September 2021, the plans are not acceptable to United Utilities because we have not seen robust evidence that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Copeland Borough Council – Conservation and Design Officer

14th September 2021

Request design revision and further information

Assessment:

- The main consideration in this proposal is the likely impact on the conservation area, with a secondary consideration being the direct impact on the heritage assets within the red line, and a further consideration being the likely impact on the settings of surrounding heritage assets.
- It is clear that this site in a number of ways lends itself to conversion, however, there is also harm associated with the proposal.

Historic England's National Farmstead Assessment Framework provides a useful way of understanding the potential here for a successful conversion.

1. Site summary

- a. Beckermets character as an ancient farming settlement has been eroded throughout

the twentieth century through the loss of fields that formerly ran down to the side of the street and the loss of agricultural buildings flanking the street.

- b. The main barn, wall at the site front boundary, wall joining the front boundary to the main barn, and small structure immediately to the right of the entrance establish the majority of the site's historic agricultural character.
- c. There are no listed buildings on site, and the site is not within the setting of any listed buildings or scheduled ancient monuments.
- d. The north half of the site, including the abovementioned features, which could be considered non-designated heritage assets, is within Beckermets Conservation Area, and the south half of the site is outside it, although within its setting.
- e. The site is also within the settings of several non-designated heritage assets on Nursery Lane.

2. Heritage significance

- a. The main barn appears to date from the latter half of the 19th century, along with most of the surrounding fabric in this part of Beckermets.
- b. It appears to be an attractive example of this typology, worthy of being considered a non-designated heritage asset, along with other walls and structures mentioned above.

3. Capacity for change

- a. The buildings within the red line assert the former life of the place in a way that is clear and tangible. The erosion of their agricultural character would therefore fail to preserve the character of the conservation area. However, the argument is put forward in the supporting documentation that these buildings are out of use and no longer required by the farm. The continuation of their farming character therefore appears to be ending, and so another use is needed if they are to avoid dilapidation. This must be carried out in a way that preserves the architectural character of the site.
- b. The main barn appears suitable for a sensitive conversion, and the rear of the site provides space for well-designed new dwellings to be integrated. This location is outside the conservation area, but within its setting.
- c. The loss of the corrugated roof fronting the road could be viewed as an improvement to its appearance, but harmful to its character in the sense of removing agricultural forms and materials. The corrugated roof is not architecturally valuable, but replacing it with a view of parked cars could be considered less-than-substantial harm to the character of the conservation area.

- d. The reduction in height of the road-side wall should be viewed as harmful and will also provide a clearer view of the parked cars behind. In terms of character and appearance of the conservation area, it would be preferable to retain it. I appreciate that this is in service of visibility splays, but wonder if any other form of mitigation would be acceptable to Highways as an alternative?

4. Siting and design issues

- a. In converting the barn to dwellings, there will inevitably be some harm to its significance, however this must be weighed against the prospect of the barn being unused, and in the case of historic building, being in use is a clear benefit to conservation. NPPF 194 and 203 are particularly relevant here, as is local policy DM13D.
- b. I note the proposal to use a fence on the parking area's eastern boundary. There is already a wall here (the wall of the lean-to barn) and the insertion of fencing is likely to introduce a somewhat suburban and unfamiliar boundary treatment that would be better detailed in masonry.
- c. It would appear that replacement of the twentieth century agricultural buildings to the rear of the site with good quality new architecture has the potential to improve its appearance without intruding onto greenfield with new development, having a net positive impact on the setting of the conservation area and surrounding buildings despite the erosion of the site's agricultural character.
- d. The majority of the design considerations will be reserved.

Summary:

- This proposal will quite drastically alter the frontage of the site, in some ways for the better, however I would be grateful for confirmation as to whether any alternative strategies or mitigation would be amenable to Highways that would avoid the need to reduce the height of the front wall and the small roofed structure to the right of the entrance, which will presumably have to be reduced to the same level. This would be considered less-than-substantial harm to the conservation area under NPPF 207 and 202, so evidence of any alternatives should be supplied where available.
- It would be more clearly in line with local character and appearance to make use of a masonry wall for the boundary on the east side of the new car parking at the north end of the site. I'd therefore request the use of masonry (potentially recyclable from on-site) in place of the proposed 1.2m high fence. Furthermore, it may be preferable to make this wall higher than the 1.2m identified as this will screen the view of parked cars from the road east of the site, so I'd be grateful for comment on whether this has been considered.

30th September 2021

Request further information

Assessment:

I'm not requesting retention of the front wall to full height, contradicting previous advice, only requesting clarification that there are no alternative strategies that could both satisfy Highways and retain the wall at full height. Are there several options with different pros and cons, or is wall height reduction the only way to make the site accessible?

My preference, when it comes to the small roofed structure (as with any heritage asset), is to choose the lowest impact option until necessity compels something else. If the structure can be retained without conflicting with the Highways requirement for visibility at the entrance, that is a more justifiable course than taking it down.

I am pleased the proposal will be updated to include a masonry wall at the side boundary of the parking area, although the height should still be considered, and may be better higher than 1.2m in order to provide better screening of the parking area. In such a case, it may also be preferable to give thought to how any difference in height between the two walls would be detailed, although I appreciate this may fall outside the scope of the present outline application.

5th October 2021

Request further information

Assessment:

If the front wall height reduction is the only way to satisfy Highways' needs for the site entry (i.e. there are no alternative strategies), I would view this as reasonable justification.

My preference, when it comes to the small roofed structure (as with any heritage asset), is to choose the lowest impact option until necessity compels something else. If the structure can be retained without conflicting with the Highways requirement for visibility at the entrance, that is a more justifiable course than reducing it. Could I have clarification on this, as the front wall needs reducing for visibility reasons – does this requirement also apply to the small roofed structure?

I am pleased the proposal will be updated to include a masonry wall at the side boundary of the parking area, although the height should still be considered, and may be better higher than 1.2m in order to provide better screening of the parking area. In such a case, it may also be preferable to give thought to how any difference in height between the two walls would be detailed.

As this is an outline application, I'd be happy to see the inclusion of a condition covering detailing of the side wall of the parking area, and its junction with the front wall at the roadside.

4th November 2021

No objection

Assessment:

This consultation follows submitted information on the existing visibility splays for the site entrance, a proposed hatched area without planting where structures are limited to 1.05m high, and a design code.

This supports the requirement to reduce the height of the front wall of the site, and the structure that will be before a bin store, and also outlines principles relating to the type and number of developed properties, general relationship of these to the main barn, and the broad use of materials.

This would appear to be in line with conservation legislation and guidance, and the Conservation Area Design Guide, and to justify the proposed approach.

Copeland Borough Council – Flood and Coastal Defence Engineer

1st September 2021

Some general comments on the submitted information.

- The Application states that the surface water is to be disposed of by means of the main sewer.
- The Supporting Planning Statement states that the LLFA has indicated that a Flood Risk Assessment is not required due to the size of the development, despite it being partially in Flood Zone 2. I would say that as part of the site is in Flood Zone 2, a Flood Risk Assessment is required. This would be to steer the dwellings within the development to be in the parts of the site at the lowest flood risk and put in place any mitigation measures that may be required. The document does state that habitable will be within Flood Zone 2. However, climate change should be considered.
- The Supporting Planning Statement states that there is no real risk of flooding of flooding even for the part of the site within Flood Zone 2. This is not a realistic statement to include. Whilst the current modelling that puts the site partially in Flood Zone 2, may be crude and over pessimistic, there is no evidence to support this assertion. As above a Flood Risk Assessment is required, which should consider climate change and more site specific data can be used.
- The Supporting Planning Statement states that there is currently a high level of hard standing within the site and the proposed development will result in a reduction in impermeable surface area.
- The Supporting Planning Statement states that the LLFA believes that it is highly likely that the site will connect to the existing mains combined sewer. Whilst this may be the case, the developer needs to demonstrate that the drainage hierarchy has been followed. This isn't

needed at the Outline Application stage, but should be conditioned that it is included in any reserved matters application for the site.

I don't think that there is any major concerns with the development, but as part of the site is in Flood Zone 2, a Flood Risk Assessment needs to be submitted at the Outline Application stage.

Disposal of both surface water and foul sewage from the site can be sorted at the Reserved Matters stage, but this must follow the drainage hierarchy.

27th September 2021

Flood Risk Assessment:

The flood risk assessment highlights that a part of the site lies in Flood Zone 2.

It confirms that none of the habitable part of the development will lie in Flood Zone 2.

The flood risk assessment does not consider other sources of flooding to site, although realistically these are likely to be low.

Surface Water Drainage Strategy:

It is proposed to followed the drainage hierarchy.

Currently it is not known whether infiltration would be suitable for the site, or part of the site only.

The nearest watercourse is stated as Black Beck and if infiltration is discounted, discharge to Black Beck has been discounted as this would require crossing the road.

In itself, crossing the highway should not prevent Black Beck being used as the discharge point, although there may be good reasons why this isn't suitable.

Following the drainage hierarchy should be conditioned.

Foul Water Drainage Strategy:

The information about levels in the text is confusing.

There is sufficient land to accommodate on treatment plant on the site for foul.

However, the suggestion is that the site will be pumped into the combined sewer.

Whilst pumping is not preferred, it would appear that a treatment plant would not comply with the "General Binding Rules" given the site size and proximity to an existing mains sewer and the proposed number of dwellings.

Copeland Borough Council – Environmental Health

Based on the information submitted with the above application, Environmental Health support the

application, but note the potential for disruption during the conversion and erection and therefore request the following conditions:

- All external lighting shall meet the guidelines and obtrusive limits details in the institute of lighting professionals Guidance Notes for the Reduction of Obtrusive light (GN01:2011)
- All HGV deliveries to the site shall be carried out solely between the hours of 09:00 and 17:00 Monday to Friday. There shall be no HGV deliveries on Saturdays, Sundays and Bank Holidays
- No idling or waiting by deliveries to prevent noise nuisance
- The hours of operation to be 08:00 – 18:00 Monday – Friday, 08:00 -13:00 Saturdays and no operation on Saturday or Bank Holidays.

Natural England

No comments to make on this application.

Cumbria County Council – Resilience Unit

No objections to the proposed works.

Public Representation

This application has been advertised by way of a site notice, press notice and neighbour notification letters issued to twelve properties. 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 – 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 ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

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 DM24 – Development Proposal and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

Copeland Borough-Wide Housing Needs Survey (2020)

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

Planning (Listed Building and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Emerging Copeland Local Plan:

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

The primary issues relevant to the determination of this application are:

- The principle of the development;
- Design and Impact on Residential Amenity
- Settlement Character, Landscape Impact and Visual Impact
- Access and Highway Safety
- Impact on Conservation Area & Heritage Asset
- Drainage and Flood Risk
- Ecology

Principle of the development

Policy ST1 and ST2 of the Copeland Local Plan supports the principle of new housing and seeks to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The principle of new housing is also supported by in the Copeland Local Plan through policies SS1, SS2 and SS3. These policies seek to promote sustainable development to meet the needs and aspirations of the Boroughs housing market, as well as having consideration for the requirements of smaller settlements within the Borough, which respect their scale and function.

The application relates to a brownfield site located within the eastern section of Beckermat. The majority of the application site is located within the existing settlement boundary for Beckermat which is classified as a Local Centre under Policy ST2 of the Copeland Local Plan. Policy ST2 seeks to support appropriately scaled development in defined Local Centres which helps to sustain services and facilities for local communities. In respect of housing development, the following is identified as appropriate: within the defined physical limits of development as appropriate; possible small extension sites on the edges of settlement; housing to meet general and local needs; and, affordable housing and windfall sites. The proposed development would redevelop a rundown brownfield site, as such the principle of the development is considered to be acceptable.

Design and Impact on Residential Amenity

Policies ST1, DM10, DM11, and DM12 of the Local Plan, and section 12 of the NPPF seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity, and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

DM13 of the Copeland Local Plan seeks to allow for the conversion of building within settlement limits to those which can provide adequate internal space, off street parking in accordance with parking standards, and adequate amenity space. This policy also states that conversions should conserve the character of the building and will not create amenity issues for residents of the adjacent properties.

The application site lies within a predominantly residential area, adjacent to residential properties to the north, east, and west of the site, with open countryside to the south. The application includes indicative details of the proposed layout only for the proposed new dwellings with details of the siting, scale and appearance of the dwellings reserved for subsequent approval at the Reserved Matters stage. As submitted the proposed plot layout does reasonably allow for adequate separation distances to be achieved between facing elevations of the proposed and existing dwellings as required by Policy DM12 of the Local Plan.

The application does also seek permission to convert the existing traditional barn to two dwellings. Although details of this conversion have been reserved for subsequent approval it is considered that a development of this nature can also achieve adequate separation distances as set out in Policy DM12 of the Copeland Local Plan. A letter has also been submitted from WDP Architects to confirm the structural integrity of the barn and its suitability for conversion.

Whilst all details of the proposed development are reserved for subsequent approval a design code has been submitted to support this application. Following detailed discussions with the agent for this application the proposed design code ensures that the development of this site will be carefully designed to conserve and enhance the character and appearance of the Conservation Area and the proposed conversion works will protect the traditional character of the barn. It is therefore proposed that the existing barn will be converted to a maximum of two dwellings and any conversion works will be carried out to comply with Policy DM13 of the Copeland Local Plan, including any additional windows, and will be designed to front onto Nursery Road. This design code also confirms that the proposed dwellings will not exceed 2.5 storeys in height, will be orientated north to south, and will be constructed from traditional materials. An appropriately worded planning condition is proposed to ensure any Reserved Matters application and future development of this site complies with this approved design code.

Whilst the matters of layout, scale, appearance and landscaping are reserved for subsequent approval, the illustrative layout plan submitted in support of the application demonstrates that a

development layout is deliverable with interface separation distances that would not result in harm to the residential amenity of the neighbouring residential dwellings through loss of light, overshadowing, overbearing and overlooking. The requirements of Policy DM12 of the Local Plan are considered achievable.

Settlement Character, Landscape Impact 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.

Policy DM10 seeks that development responds positively to the character of the site and the immediate and wider setting and enhances local distinctiveness including: an appropriate size and arrangement of development plots; the appropriate provision, orientation, proportion, scale and massing of buildings; and, careful attention to the design of spaces between buildings.

The application site comprises of brownfield land currently used for agriculture located within the existing built form within the eastern edge of Beckermets.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5d 'Lowland – Urban Fringe'. The Key Characteristics of the land comprise: long term urban influences on agricultural land, recreation, large scale buildings and industrial estates are common, mining and opencast coal workings are found around Keekle and Moor Row, and wooded valleys, restored woodland and some semiurbanised woodland provide interest.

The Guidelines for development include: when new development takes place consider opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the wider countryside; protect 'green' areas from sporadic and peripheral development; protect countryside areas from sporadic and peripheral development through the local plans; careful siting of any new development in non-prominent locations; strengthen undeveloped areas of land with mixed woodland and hedgerow planting and restoration of natural landscape features; and along major roads, develop schemes to improve visual awareness of the individual settlements, land uses and cultural landmarks.

The majority of the application site falls within the Beckermets settlement boundary, and has previously been developed for agricultural use comprising of dilapidated agricultural buildings and a farm yard. The area comprising mainly of residential dwellings, detached and terrace properties, fronting into the main road. However the area does also benefit from a small number of houses set back from the main road and accessed by single tracks. This application seeks permission to convert the existing traditional barn located within the front of the site, which will reflect the character of the

village. The removal of the dilapidated outbuildings along the front of the site will also help to enhance the character of the overall area. The proposed three new residential properties will be located within the rear part of the site and will be viewed against the backdrop of the existing residential properties, therefore the development is not considered to result in an intrusion into the open countryside and would result in infilling between existing dwellings.

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

Access and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. 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.

Although this application is in outline form, the proposal as submitted does include full details of the proposed access for this development. A detailed plan and supporting access advice document has been submitted with this application to show how access can be achieved from Nursery Road to the north of the application site. The proposal will utilise the existing farm access. The existing access is 4.4m wide and sits between the existing sandstone boundary wall and attached dilapidated outbuildings and small detached outbuilding fronting the site. As part of this application the existing attached outbuildings to the east of the access will be demolished to enable the creation of parking and turning areas to serve the converted barn. The proposed access will provide visibility splays of 2.4m x 60m in both directions along Nursery Road with the existing sandstone wall and detached outbuilding reduced in height of 1.05m maximum.

As part of this application process significant discussion have been undertaken with the agent and Cumbria Highways. Initially Cumbria Highways raised concerns regarding the visibility of the proposed access to this site. It was stated that the proposed access joins the C4013 public highway where there is a 30mph speed limit in operation, therefore a visibility splay of 60m by 2.4m in both directions is required. Concerns were raised that the visibility splays would cross third party land meaning they are not within the control of the applicant. It was also stated that although the front boundary wall was proposed to be reduced to 1m in height, the small outbuilding fronting the site would also need to be lowered for these visibility splays to be achieved.

Based on these concerns the agent for this application submitted amended plans to show the lowering of the outbuilding, to be used as a bin store, supporting access advice and details of the existing use as an agricultural access which has very poor visibility splays. Following these discussions and the submission of amended information Cumbria Highways accepted that in practical terms the development will provide a vast improvement to the current access to the site, and the proposed splays were confirmed to be as per the design guide. Concerns were again raised with the proposed

splays crossing third party land, however it was accepted that planning permission would be required for any future alterations to neighbouring front boundary walls or gardens above a height of 1 metre. Following further Officer discussions with Cumbria Highways, the improvements to the existing splays, and acknowledgement of the existing use of the access Cumbria Highways offered no objections to the proposal. It was confirmed that in considering the road layout, parked cars and low neighbouring walls allowing for visibility over them an appropriately worded condition could be included within any decision notice to secure visibility splays of a site maximum before development commences.

Based on the inclusion of these requested conditions the proposal is considered to be compliant with the Policy T1 and Policy DM22 of the Copeland Local Plan.

Impact on Conservation Area & Heritage Asset

Policy ST1, ENV4, DM27 of the Copeland Local Plan seek to protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites.

Section 72 of the 1990 Act states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area."

Paragraph 194 of the National Planning Policy Framework (NPPF) states that "In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation..."

NPPF para. 199 states, in the case of designated heritage assets, "great weight should be given to the asset's conservation", irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202). In new development, opportunities should be sought to enhance or better reveal the significance of conservation areas (NPPF para. 206).

As part of this application process extensive discussions have been undertaken with the Council's Conservation and Design Office. Within initially comments the Council's Conservation Officer noted that although the proposal will drastically alter the frontage of the site, in some ways for the better, concerns were raised with regard to the lowering of the front boundary wall for the site. It was requested that alternative solutions were submitted which would also satisfy Cumbria Highways. Within discussion for this application it was determined that the only way to satisfy Cumbria Highway

and to achieve visibility at this site was to lower both the front wall and small outbuilding adjoining the access to 1m in height. As this was the only option to create access to this site the Conservation Officer confirmed that this was reasonable justification for the works. Concerns were, however, raised with regard to the proposed fence along the side boundary of the site adjacent to the parking area. The agent confirm that this could be updated to include a masonry wall, however as this application is in outline form only the Conservation Officer confirmed that he was happy for this to be dealt with by an appropriately worded planning condition. Following the submission of plans to show the achievable visibility splays and the design code for this development the Officer confirmed that he had no objections to the proposal and that the development would appear to be in line with conservation legislation and guidance including the Conservation Area Design Guide, and so the proposed approach taken was justified.

On the basis of the above it is considered that the proposal complies with policies of the Copeland Local Plan and the NPPF.

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.

Whilst the majority of the application site is located within Flood Zone 1, the front and entrance to the application site is located within Flood Zone 2 therefore a Flood Risk Assessment has been submitted to support this application. This document concludes that combined surface sewer is considered to be the most appropriate drainage option at this site for both surface run-off and foul water. It is, however, stated that as this application is in outline form only it would be appropriate to attached standard conditions requiring the submission of both foul and surface water drainage strategies for the development to be evolved at the detailed Reserved Matters stage.

The LLFA and the Council's Flood and Coastal Defence Engineer have both stated that the applicant needs to show that the drainage hierarchy has been fully considered and that the proposed means of drainage is the only suitable option for this site in line with the NPPG. United Utilities have, however, stated that based on a review of the submitted Flood Risk Assessment the details are not acceptable as they do not provide robust evidence that the drainage hierarchy has been thoroughly investigated and the proposals are no in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. Based on these comments the agent for this application has requested that the drainage details of this scheme are dealt with via condition. In line with this request and comments from the Statutory Consultees relevant conditions are proposed to ensure an adequate drainage system can be secured to serve the site and to ensure a surface water drainage scheme is achievable based on the hierarchy of drainage options set out in the NPPF. These details should be secured prior to commencement of works on the site.

The Flood and Coastal Defence Engineer has also stated that the details submitted regarding foul water are confusing. On this basis it is considered appropriate to require the submission of detail foul drainage through an appropriately worded planning condition.

The imposition of these conditions will secure proper drainage within the site and will manage the risk of flooding and pollution, ensuring that the development complies with Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028 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 ecology survey for this application concludes that:

- No statutory or non-statutory designated sites for conservation would be significantly affect by the proposed development;
- There are no habituated that would be directly affected by the proposed development of more than site biodiversity value;
- There is potential for the presence of several protected and/or notable species but only nesting birds have been recorded. The size of the site means even if present the species would not be significant population but as best practice mitigation and compensation are provided to ensure species are not harmed during works and to provide habitats once the site is operational.

The survey identified a number of mitigation and compensation measures including using standard construction methods, creating habitats outside the development footprint, and installation of bat boxes and bird boxes. As the survey highlights a number of mitigation measures an appropriately worded planning condition is proposed 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.

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

Conclusion and Planning Balance

The application seeks outline planning permission for the conversion of an existing agricultural barn

	<p>and new residential properties, located within one of the Council's Local Service Centres, delivering a new residential units within a sustainable location. The majority of the application site is located within the existing settlement boundary and the development will not result in intrusion into the open countryside as it will be viewed against the backdrop of existing dwellings.</p> <p>As the application is in outline form only indicative details have been provided with regard to the scale or appearance of the proposed dwellings, and no details have been provided in terms of the barn conversion. A design code has however been submitted with this application to ensure the development of this site will be carefully designed to converse and enhance the Conservation Area and the proposed conversion works will protect the traditional character of the barn. A condition can be imposed to ensure the that any Reserved Matters application and future development of this site complies with this approved design code. The Council's Conservation Officer has offered no objections to the development and notes that alterations to the front of the site will have benefits as the dilapidated buildings will be removed.</p> <p>Concerns were raised with regard to the proposed access from Cumbria Highways, however extensive discussions have resulted in a solution that is acceptable to satisfy their requirements. This is based on the lowering of the highway boundary wall, and an acknowledgement of the previous agricultural use of the existing access. Visibility splays at this access will be secured by condition prior to the commencement of development at this site.</p> <p>Details of surface and foul water drainage can be secured by appropriately worded planning conditions.</p> <p>On balance, the proposal is considered to be an acceptable form of sustainable development which is complaint with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve in Outline (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The layout, scale, appearance, and landscaping must be approved by the Local Planning Authority. <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>

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval must be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted must be commenced not later than the later of the following dates:-

a) The expiration of THREE years from the date of this permission

Or

b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. 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, Drg No: 04, received by the Local Planning Authority on the 10th August 2021.
- Existing Site Plan (Amended), Scale 1:200, Drg No: 01, Rev A, received by the Local Planning Authority on the 6th September 2021.
- Site Survey And Barn Elevations, Scale 1:200, received by the Local Planning Authority on the 6th September 2021.
- Letter: Structural Integrity of Barn (Amended), Prepared by WDP Chartered Architects August 2021, received by the Local Planning Authority on the 6th September 2021.
- Supporting Planning, Design & Heritage Statement, received by the Local Planning Authority on the 10th August 2021.
- Ecological Impact Assessment, Prepared by AIBM Ecology June 2021, received by the Local Planning Authority on the 10th August 2021.
- Flood Risk Assessment, received by the Local Planning Authority on the 20th September 2021.
- Proposed Site Entrance and Visibility Splays (Amended), Scale 1:200, Drg No: 05, received by the Local Planning Authority on the 30th November 2021.
- Design Code (Amended), received by the Local Planning Authority on the 1st November 2021.
- Proposed Access (Amended), Prepared by R G Parkins November 2021, received by the Local Planning Authority on the 30th 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.

Pre Commencement Conditions:

4. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - a. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - b. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - c. A timetable for its implementation.

The approved scheme must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted must be carried out only in accordance with the approved drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

5. Prior to the commencement of any development at this site full detail of the proposed foul drainage system and a maintenance schedule (identifying the responsible parties) for this development must be submitted to and approved in writing by the Local Planning Authority. The approved drainage system must be implemented prior to the first use of the site and must be maintained thereafter in accordance with the schedule.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

6. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway 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.

Reason:

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

7. The development must not commence until visibility splays providing clear visibility of 2.4 metres by site maximum towards both sides, measured down the centre of the access and then 0.5m from the nearside channel line of the carriageway edge have been provided at the access with the county highway. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

8. Prior to the commencement of development at this site, the front boundary wall and small outbuilding to the west of the access must be lower 1.05m in accordance with the approved plan 'Proposed Site Entrance and Visibility Splays (Amended), Scale 1:200, Drg No: 05, received by the Local Planning Authority on the 30th November 2021'. The development must be retained in accordance with these approved details at all times thereafter.

Reason

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

9. Prior to the commencement of any above ground works on site, full design details of the proposed waste storage area must be submitted to and approved in writing by the Local Planning Authority. The approved details must be installed prior to the first use of the site and must be retained as such at all times thereafter.

Reason

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy

DM22 of the Copeland Local Plan and to protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 of the Copeland Local Plan 2013 - 2028.

Prior to Installation Conditions:

10. Prior to its installation within the development hereby approved, full details of the side boundary wall located to the east of the proposed parking area and its junction with the front wall at the roadside, must be submitted to and approved in writing by the Local Planning Authority. The approved details must be installed prior to the first use of the site and must be retained as such as all times thereafter.

Reason

To protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 of the Copeland Local Plan 2013 - 2028.

11. Prior to their first installation within the development hereby approved, full detail of proposed biodiversity enhancements must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and so maintained thereafter.

Reasons

To protect the ecological interests evident on the site in accordance with Policies ENV3 and DM25 of the Copeland Local Plan 2013 – 2028.

Other Conditions

12. Foul and surface water must be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

13. This permission gives outline approval for a maximum of three new residential dwellings and two residential dwellings within the proposed barn conversion only at this site.

Reason

To ensure an appropriate form of development at this site in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 - 2028.

14. The development hereby approved, and any subsequent application, must be carried out in accordance with the approved document 'Design Code (Amended), received by the Local Planning Authority on the 1st November 2021' at all times.

Reason

To protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 of the Copeland Local Plan 2013 - 2028.

15. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the Flood Risk Assessment, received by the Local Planning Authority on the 20th September 2021.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

16. The development must implement all of the mitigation and compensation measures set out in the approved document 'Ecological Impact Assessment, Prepared by AIBM Ecology June 2021, received by the Local Planning Authority on the 10th August 2021'. The development must be carried out in accordance with the approved document at all times thereafter.

Reasons

To protect the ecological interests evident on the site in accordance with Policies ENV3 and DM25 of the Copeland Local Plan 2013 – 2028.

17. All HGV deliveries to the site must be carried out solely between the hours of 09:00 and 17:00 Monday to Friday. There must be no HGV deliveries on Saturdays, Sundays and/or Bank Holidays.

Reason

In the interest of residential amenity.

18. Construction site operating hours will be Monday-Friday 08:00 to 18:00 and Saturdays 08:00

to 13:00. No construction on Sundays or Bank Holidays.

Reason

In the interest of residential amenity.

19. 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 buildings in the interests of visual amenity.

Informatives:

1. All external lighting must meet the guidelines and obtrusive limits details in the institute of lighting professionals Guidance Notes for the Reduction of Obtrusive light (GN01:2011).
2. The applicant should liaise with the CCC Resilience Office via emergency.planning@cumbria.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.
3. 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.

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 : 17.03.2022
Authorising Officer: N.J. Hayhurst		Date : 18/03/2022
Dedicated responses to:-		