

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2420/OF1	
2.	Proposed Development:	PRIOR NOTIFICATION OF PROPOSED DEMOLITION OF A SMALL SINGLE STOREY OUTBUILDING (RESUBMISSION)	
3.	Location:	LAND TO THE SOUTH OF NEWTON MANOR, GOSFORTH, SEASCALE	
4.	Parish:	Gosforth	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone	
6.	Publicity Representations &Policy	Neighbour Notification Letter	No
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to an outbuilding located on land to the south of Newton Manor, located to the north of Seascale. The building is surrounded by woodland as well as open farmland. The site is accessed along a track which connects to the A595.	
	Proposal		
		4/17/2301/OF1 – Part demolition and redevelopment to create a site of local interest – Approve	
		4/16/2112/OF1 – Prior notification of proposed demolition – Approve	

4/21/2342/OF1 – Prior notification of proposed demolition of a small single storey outbuilding – Withdrawn

Proposal

This application gives prior notification of the proposed demolition of a small single storey outbuilding located to the south of Newton Manor. The building measures 5m x 4m constructed from stone and slate, with one elevation of the built into the embankment to eaves level.

Prior notification for the demolition of Newton Manor was previously granted (ref: 4/16/2112/OF1) under Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 in May 2016. However following local concern a subsequent application was approved (ref: 4/17/2301/OF1) to part demolish and redevelopment Newton Manor to create a site of local interest. The location of the existing outbuilding subject to this application was not previously known, and therefore was not included within these previous applications. The demolition of this outbuilding is now sought to ensure that there are no unused or unnecessary buildings remaining on site when the main building is demolished. The outbuilding is also in a state of disrepair and has not been used for many years.

In terms of demolition of the structure, the ivy, roof covering and the front of the structure will be removed from the site. The rear wall of the building, which is built into the embankment, will be reduced in height and will act as a retaining wall. The proposed restoration of this site will include covering the area with topsoil in fitting with the contours of the existing banking, and then seeding the area.

Consultation Responses

Subject to Part 11 Class B paragraph (b)(v) of the Town and County Planning (General Permitted Development) Order 2015, the applicant must display a site notice on or near the land on which the building to be demolished is sited, and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority. The applicant has provided a copy of the notice and has confirmed that this site notice has been erected. No comment have been received in relation to this notification period.

Gosforth Parish Council

No objections.

Cumbria Wildlife Trust

No comments received.

Natural England

No objections.

Cumbria County Council – Historic Environments Officer

No objections and no comments or recommendations.

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 ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (2021)

The Conservation of Habitats and Species Regulation 2017 (CHSR)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

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

	<p>Demolition is classed as permitted development under Schedule 2 Part 11 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015. This order sets out certain conditions for the prior approval of demolition, which requires the submission of a method of demolition and details of the proposed restoration of the site.</p> <p>Under this schedule, the applicant is only required to give prior notification of the demolition. This does not permit the Local Planning Authority to object to the removal of the buildings but does ensure that the method of demolition is satisfactory and the site is restored appropriately.</p> <p>The submitted details for this application are considered adequate and demolition of the outbuilding will allow the last of the dilapidated and unused building to be removed. The proposed restoration of this site following demolition is a suitable treatment for the land. A bat survey has also been submitted to confirm that the outbuilding has a negligible potential of roosting bats and therefore no further study work is required.</p>
8.	<p>Recommendation:</p> <p>Approve</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development must be carried out entirely in accordance with the details submitted. 2. The development must be carried out within a period of five years from the date of this letter. <p>Informative</p> <p>If bats are discovered after development has started, all works shall stop and expert help should be sought from a qualified and licensed ecologist. A survey should be undertaken and mitigation plans developed on the basis of this study. Bats and their roosts are protected by law and it is an offence to wilfully injure or kill a bat or damage or destroy a bat roost.</p> <p>Statement:</p> <p>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 prior notification of demolition in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>

Case Officer: C. Burns	Date : 25.10.2021
Authorising Officer: N.J. Hayhurst	Date : 26.10.2021
Dedicated responses to:- N/A	