



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2556/OF1	
2.	Proposed Development:	INSTALLATION OF DOMESTIC HEATING OIL TANK, BIKE STORE, AND SCREEN HEDGE & FENCE	
3.	Location:	MOORLEYS, EGREMONT	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Off Coalfield - Data Subject To Change, Preferred Route Corridor - Within Preferred Route Corridor, Outer Consultation Zone - Sellafield 10KM	
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 detached property, known as Moorleys. The former cottage and attached barn are Grade II Listed, and are located within the open countryside. The site is accessed from a single track road.		
	Permission has previously been granted at this site for the reinstatement of the cottage and the extension into the attached barn to from a new dwelling. Planning permission was granted in 2009 and again in 2012, however these works have not been commenced in accordance with Section 56 of the Town and Country Planning Act, therefore this current application is a resubmission of the		

previous approvals with some alterations.

### **Relevant Planning History**

4/09/2434/0 – Listed building consent for reinstatement of cottage and extension into attached barn to form new dwelling (resubmission) - Approved

4/09/2435/0 – Reinstatement of cottage and extension into attached barn to form new dwelling (resubmission) – Approved

4/12/2388/0F1 – Amendment to approved barn conversion (4/09/2435) – Approved

4/12/2406/0L1 – Listed building consent for amendment to approved barn conversion (4/09/2435) – Approved

4/21/2154/0F1 – Reinstatement of cottage and extension into attached barn to form a new dwelling – Approved

4/21/2155/0L1 – Listed building consent for reinstatement of cottage and extension into attached barn to form a new dwelling – Approved

4/21/2358/DOC – Discharge of condition 5, 6, 7 and 8 of planning approval 4/21/2155/0L1 – Approved

4/21/2396/DOC – Discharge of condition 5, 6, 7 and 8 of planning application 4/21/2454/0F1 – Approved

4/21/2564/DOC – Discharge of conditions 3 and 4 of planning approval 4/21/2155/0L1 – Approved

4/22/2019/DOC – Discharge of condition 4 of planning approval 4/21/2154/0F1 – Approved

### **Proposal**

This planning application seeks permission for the installation of a domestic heating oil tank, bike store, and a screen hedge and fence. The proposed works will be sited on a small area of land to the east of the main dwelling.

The proposed bike store will measure 2.8m x 2m with an eaves height of 2.33m and an overall height of 3m. The proposed shed will be sited on a concrete base and floor slab, stained timber horizontal cladding boards, and a timber boarded roof with a felt tile finish. This proposal will accommodate the domestic garage and bike storage which is not available within the existing build form of the site.

The proposed oil tank will be sited behind the proposed bike store. When the previous application to reinstate the residential cottage was approved, it was envisaged that a ground source or air source heat pump would be the primary heating source for the dwelling, however due to the sites isolation

the applicant has only been offered a limited electricity supply. The electricity supplier can therefore not guarantee that an electricity supply can be provided to meet the demands for a heat pump. On this basis it has been determined that some alternative back up system will be required to maintain efficient space and water heating capacity. It is therefore proposed to install a double skinned bunded oil storage tank to serve a small oil-fired boiler. It is proposed that the oil tank will be sited on a concrete slab and will have capacity of 2000 Litres. The proposed oil tank will measure 2.5m x 0.8m and will have an overall height of 1.65m.

It is proposed that the developments will be enclosed by a screen and hedge, running along the south boundary adjacent to the highway and the east boundary of the site. It is proposed that a 1.6m high vertical close hit and miss boarded fence will be installed with a new hedge planted in front of this screen. This proposed boundary will be made up of trees and shrubs with container grown saplings. Trees will be planted 2.5m apart and hedging will be planted at 5 plants per metre in two staggered rows 500mm apart. All proposed planting will be completed during the first available planting season.

This application is being considered alongside a Listed Building Consent application (ref: 4/22/2003/OL1) for the same works at this site.

### **Consultation Responses**

#### St Bees Parish Council

No objections.

#### Cumbria County Council – Cumbria Highways & LLFA

The visibility splay crosses the hedge and wall which are on drawing number 2102-C-200 Rev A (submitted with 4/22/2005/OF1) it has been stated that the wall will be built to max 1.00m and the existing hedge will be reduced in height to 1.00m. The height of the hedge will need to be maintained as to not exceed 1.05m which will obstruct the visibility. Therefore I recommend that a boundary height condition is included. Please note that the fence should also not exceed 1.05m if in the visibility site line. I can confirm that we have no objections to the proposal, subject to the inclusion of a condition requiring the lowering of any boundary wall or fence.

#### Copeland Borough Council – Conservation and Design Officer

*27<sup>th</sup> January 2022*

Request revised information (see last paragraph)

Assessment:

These two applications seek permission/consent for a bike shed, bin storage area and oil tank tucked down behind a line of planting and a new fence at one end of the site.

Justification has been provided for these things (inasmuch as it needs providing beyond the obvious

benefit e.g. of being able to store bikes). Due to the electricity supply to this rural property, it is necessary to make use of an oil fired boiler to provide space and water heating support to the proposed electrical heating. I am aware that a sizeable PV array is also proposed elsewhere, but having several sources of heating where supplies are variable is reasonable. Similarly, the bike and bin storage are perfectly reasonable in principle.

My only slight concern is whether these things could be located in a more concealed location to minimise visual impact, however it is advantageous to locate all of these things near to the road for access, the triangle of land would otherwise have no easy use, and there is screening proposed. Additionally, the location is not in front of the house, but off to one side.

The fence proposed to the front of the triangle of land will mostly be hidden once the roadside planting is mature, and will be fairly neat in appearance while largely screening the additions.

The design and planning statements make reference to boiler flue details being in an attached elevation drawing. My understanding is that this detail is now being covered by a different application, so the reference to the elevation drawing, which doesn't feature here, should be removed.

*17<sup>th</sup> February 2022*

No objection

Assessment:

This consultation is for a small alteration to the planning statement, which has been updated to reflect that boiler flue details are not being considered in this application, but under a separate one.

*28<sup>th</sup> February 2022*

No additional comments to make on this application.

Cumbria Wildlife Trust

No comments received.

Public Representation

This application has been advertised by way of a site notice. No comments have been received in relation to the statutory notification procedure.

### **Planning Policy**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Development Plan**

## **Copeland Local Plan 2013 – 2028 (Adopted December 2013)**

### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Strategic Development Principles

Policy ENV4 – Heritage Assets

### Development Management Policies (DMP)

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

Policy DM26 – Landscaping

### **Other Material Planning Considerations**

National Planning Policy Framework (2021)

Planning (Listed Building and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Cumbria Development Design Guide

### 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**

This application seeks planning permission for the erection of a bike store, oil tank, and additional boundary treatment to screen the development. The main issues the application raises relates to the principle of the development, scale, design and impact on amenity, impact on the adjacent highway, and impact on the heritage asset.

### Principle of Development

The proposed application relates to a site recently granted planning permission to reinstate the residential cottage and to extend the living accommodation into the adjoining attached barn. The proposed development will provide additional external storage for the property and will ensure the residential property can be properly heated given the limited electricity supply to the site. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18, and the NPPF guidance.

#### 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.

The application seeks permission for a detached bike store and oil tank, to be sited on land to the east of the residential property. The site is located adjacent to the main highway however it is proposed to screen the development by a 1.6m high fence and additional hedgerow planting. The proposed screening will ensure the development is mitigated and the impact of the development on the surrounding landscape is minimised. The installation and retention of the boundary treatment will therefore be secured by appropriately worked planning conditions.

The site does not have any nearby neighbours therefore the development will not have an impact on residential amenity. The area subject to this application is part of the curtilage of the dwelling and already benefits from a hard standing. The site currently sites a large caravan which will be located to accommodate the proposed development.

On this basis the development is considered to comply with the requirements of Policy DM18 of the Copeland Local Plan and the provisions of the NPPF.

#### Impact on Highway Safety

Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context. Section 9 of the NPPF promotes sustainable transport.

The proposed development is located adjacent to the main highway, to the east of the existing pedestrian access approved when the reinstated of the residential cottage was granted permission in 2021.

As part of their consultation response Cumbria Highways offered no objections but requested that the existing hedge and wall be lowered as shown on drawing no 2102-C-200 Rev A (submitted with 4/22/2005/0F1). The boundary Cumbria Highways are referencing is the front boundary of the

residential site, which falls outside of the red line for this application. Cumbria Highways have been made aware of this and have requested that this condition is now attached to the planning application 4/22/2005/0F1 and not this application.

The proposal is therefore considered to comply with the relevant policies of the Copeland Local Plan and NPPF.

#### Impact on 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.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Paragraph 192 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. 193 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. 196).

Following the submission of an amended design and access/heritage statement for this application, the Council's Conservation Officer has offered no objections to the proposed development. Concerns were raised with regard to the siting of these structures, however the officers has confirmed that it is advantageous to locate all of these things near to the road for access and there is screening proposed. It is considered that whilst the proposals will be located in front of the property, they are off set from the front of the site, limiting the impacts on the Listed Building. The works are full justified and are considered reasonable given the limited electricity supply to the site. The proposed development is therefore considered to converse this existing heritage asset.

The proposal is therefore considered to comply with policies ST1, ENV4, and DM27 of the Copeland Local Plan and provision of the NPPF.

#### Planning Balance & Conclusion

The proposed development at this site is considered of an appropriate scale and design, and will not have any detrimental impact on the amenities of any residential property. Although the development

	<p>is located within a prominent position adjacent to the highway the proposed screening will mitigate the overall impacts of the development upon the surrounding area. The works are also considered to conserve the heritage asset as they are offset from the main property and are fully justified within the application. The proposed development is therefore considered to represent an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 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"> <li>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"> <li>- Site Location Plan, Scale 1:2500, Drawing Number: 2102-PL-100, Revision: A, received by the Local Planning Authority on the 6<sup>th</sup> January 2022.</li> <li>- Site Block Plan, Scale 1:200, Drawing Number: 2102-PL-210, Revision: A, received by the Local Planning Authority on the 6<sup>th</sup> January 2022.</li> <li>- Proposed Details (Amended), Scale 1:50, Drawing Number: 2102-PL-610, Revision: B, received by the Local Planning Authority on the 28<sup>th</sup> February 2022.</li> <li>- Planning Statement, received by the Local Planning Authority on the 11<sup>th</sup> February 2022.</li> <li>- Bunded 2000 Litre Ecosafe Slimline Oil Tank, received by the Local Planning Authority on the 28<sup>th</sup> February 2022.</li> </ul> </li> </ol> <p>Reason</p>



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 First Use Conditions:

3. Prior to the first use of the development hereby approved, the proposed timber fence must be installed in accordance with the approved document 'Proposed Details (Amended), Scale 1:50, Drawing Number: 2102-PL-610, Revision: B, received by the Local Planning Authority on the 28<sup>th</sup> February 2022'. The proposed fence must be retained in accordance with these details at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

Other Conditions:

4. The proposed landscaping relating to the development here by approved must installed and completed within the first available planting season and must be carried out in accordance with the approved document 'Proposed Details (Amended), Scale 1:50, Drawing Number: 2102-PL-610, Revision: B, received by the Local Planning Authority on the 28<sup>th</sup> February 2022'. The development must be maintained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

5. The proposed landscaping relating to the development hereby approved must be maintained in accordance with the approved document 'Proposed Details (Amended), Scale 1:50, Drawing Number: 2102-PL-610, Revision: B, received by the Local Planning Authority on the 28<sup>th</sup> February 2022'. Following completion of the development should any of the planting be uprooted, destroyed or die, replacement planting must be planted at the same place. The replacement planting will be of a size, species and be planted at such a time as agreed in writing by the Local Planning Authority.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

**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 :** 28.02.2022

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

**Date :** 03/03/2022

**Dedicated responses to:-**