



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2055/OF1
2.	Proposed Development:	ERECT ROOF OVER EXISTING MANURE STORE
3.	Location:	BROW FOOT FARM, THE GREEN
4.	Parish:	Millom Without
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application site relates to land at Brow Foot Farm. The site is accessed along a track off Green Road, approximately 1 mile to the south-east of The Green and it benefits from a number of agricultural buildings. PROPOSAL Planning Permission is sought for the erection of a roof over an existing manure store. The proposed building will be located to the north of the existing cattle building and it will measure 18.3 metres in width and 12.2 metres in depth to match the existing building. It will also include a	

pitched roof with an eaves height of 3.96 metres and an overall height of 5.7 metres to match the existing building. It has been designed to match the existing farm buildings elevations with concrete panels on the low level and Yorkshire type board cladding on the upper elevations and bog six corrugated cement fibre roof sheets with roof lights.

RELEVANT PLANNING APPLICATION HISTORY

There have been several planning applications for agricultural developments within the site.

CONSULTATION RESPONSES

Millom Without Parish Council

Support the Application.

Highway Authority and Lead Local Flood Authority

Standing Advice.

Copeland's Flood Engineer

No objections.

Environment Agency

We have no objection to the application, but welcome the proposal which will reduce contaminated surface water. The applicant is aware of the possibility of tidal flooding at this location, in the event of breach or over topping of the embankment.

Cumbria Footpath Officer

No objections.

Public Representations

The application has been advertised by way of site notice - No objections have been received as a result of the consultation.

PLANNING POLICIES

Planning law requires 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 ENV1 – Flood Risk and Risk Management

Policy ENV5 - Protecting and Enhancing the Borough's Landscape

Policy ENV6 – Access to the Countryside

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM24 – Development Proposals and Flood Risk

Policy DM26 - Landscaping

Policy DM30 – Rural Buildings

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. 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 key issues raised by this proposal are the principle of development, its scale and design and impact on the landscape and visual impact, flood risk and the public right of way.

Principle of Development

Policy ST2 of the Local Plan supports development outside of settlements, which have a proven requirement for such location, including agriculture related development. Policy DM30 and section 6 of the NPPF supports proposals for new agricultural buildings as long as they are well related to existing settlement or farm complexes, and do not adversely impact on local landscapes or the amenity of nearby residential properties.

The application seeks to erect a roof over the existing manure store to reduce contaminated surface water run-off and therefore the proposal is considered to be an appropriate form of agricultural

development and it is supported by the Environment Agency. Despite being visible from the surrounding fields, the proposed structure will relate to existing buildings within the farm complex and they will be screened by the existing boundary hedges. This will therefore minimise the impact of the development on the surrounding area.

On this basis, there is a proven requirement for the proposed agricultural buildings and therefore the proposal is considered to be an appropriate form of development in accordance with Policies ST2 and DM30 and NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seeks to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

The scale and design of the proposed structure is considered to be appropriate with regard to the existing farm buildings. The pitched roof and the heights of the building will match the existing buildings and character of the farm. In addition, the use of matching materials will ensure that the new structure relates well to the existing farm buildings. On this basis, the proposal is considered to comply with policies ST1 and DM10.

Landscape and Visual Impact

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

The application site lies within the Brow Foot Farm complex on land currently utilised as a manure store adjacent to the existing agricultural building. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 2d 'Coastal Urban Fringe', which seeks to enhance, restore and improve the landscape.

Despite the proposal being visible from the north of the site, the proposed structure will be viewed in the context of the existing working farm. In addition, the structure will match the existing buildings form and appearance and this will minimise the impact of the development on the surrounding landscape in accordance with the vision in the CLCGT.

Overall, the works are not considered to have a significant impact on the character and appearance of the landscape or result in a significant intrusion into the open countryside. The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the CLCGT.

Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be

	<p>accompanied by a Flood Risk Assessment (FRA). Policies ENV1 and DM24 seeks to protect developments against risks of flooding.</p> <p>The application is accompanied by a Flood Risk Assessment as the site falls within flood zones 2 and 3. The proposal is relatively small and the existing use of the area will remain the same. The site is already concreted and therefore the proposal will only have a very small impact on flooding extent should it occur and it will not cause flood risk elsewhere. In addition, the open-sided building design will allow floodwater to enter and exit freely without effecting the structure and therefore the measure are considered to be appropriate to protect the buildings from flood damage.</p> <p>The Council's Flood Engineer also raised no objection to the proposal, as the proposal will not increase the impermeable surface area.</p> <p>On this basis, it is considered that the proposed agricultural building will not have a detrimental impact on increasing flood risk and therefore, the proposal is considered to meet Policies ENV1, DM24 and the NPPG guidance.</p> <p><u>Impact on Public Right of Way</u></p> <p>Policy ENV6 recognises that existing Public Rights of Way are protected in law and therefore consideration should be given to the impact the development will have on the public right of way.</p> <p>Although the Public Right of Way 416062 runs adjacent to the proposal and the extension might be visible from a small section of the public footpath, it will be modest in scale. In addition, it will be seen in the context of the existing building and as such will not have any detrimental impact on the Public Right of Way. On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a roof over an existing manure store towards the northern boundary of the farm complex. The main issue raised by the application was the development located outside of the settlement boundary, within the open countryside and the potential impacts on the landscape character. Although, the proposal lies adjacent to an existing farm building and it will reduce contaminated surface water run off, which is supported by the Environment Agency.</p> <p>The proposal is considered to be appropriately located within the existing farm complex and the scale will be modest. The design is also considered to be suitable for its use and the proposal will have little impact on the landscape and visual impact, flood risk or the public right of way.</p> <p>Overall, the potential harm will not significantly and demonstrably outweigh the identified benefits of the development and therefore the proposal is considered to be 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>Recommendation: Approve (commence within 3 years)</p>

9. **Conditions:**

1. The development hereby permitted must commence before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -

Location Plan, scale 1:2500, drawing 1738, received 3rd February 2022;

Block Plan, scale 1:500, drawing 1738, received 3rd February 2022;

Proposed Floor Plan and Elevations, scale 1:100, drawing 1738, received 3rd February 2022;

Proposed Section AA, scale 1:50, drawing 1738, received 3rd February 2022;

Design and Access Statement, received 3rd February 2022;

Flood Risk Assessment, received 3rd February 2022;

Flood Risk Information, received 3rd February 2022.

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.

3. Before the building is used, the flood resilience and mitigation measures must be carried out in accordance with the Flood Risk Assessment received by the Local Planning Authority on 3rd February 2022. The flood resilience and mitigation measures must be maintained thereafter.

Reason

To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.

Informative

PROW (public footpath) number 416062 runs adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

	<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 planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
<p>Case Officer: C. Unsworth</p>	<p>Date : 29/03/2022</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 30/03/2022</p>
<p>Dedicated responses to:- N/A</p>	