



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2158/OF1
2.	<b>Proposed Development:</b>	NEW AGRICULTURAL BUILDING INCLUDING ROOF AND SIDE WALKS TO ENCLOSE EXISTING SILAGE PIT PLUS NEW CONCRETE YARD AREA
3.	<b>Location:</b>	BAILEY GROUND FARM, SANTON WAY, SEASCALE
4.	<b>Parish:</b>	Seascale
5.	<b>Constraints:</b>	<p>ASC;Adverts - ASC;Adverts,</p> <p>Safeguard Zone - Safeguard Zone,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Potential areas for Natterjack Toads,</p> <p>DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Drigg 3KM,</p> <p>Outer Consultation Zone - Sellafield 10KM</p>
6.	<b>Publicity Representations &amp;Policy</b>	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: YES</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p><b>Report:</b></p> <p><b>SITE AND LOCATION</b></p> <p>The application relates to Bailey Ground Farm, located along the south-east settlement boundary of Seascale. The site is accessed off Santon Way and benefits from a number of agricultural buildings.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the erection of a roof over an existing silage pit, adjacent to the previously approved agricultural building (ref: 4/21/2482/OF1) and the re-concreting of the existing</p>	

yard area.

The proposed building will be located outside the settlement boundary towards the south-eastern boundary of the farm complex. It will measure 20.776 metres in width and the depth will match the previously approved building. It will include a pitched roof with an eaves height of 7.3 metres and an overall height of 9 metres. It has been designed to match the existing farm buildings elevations with concrete panels at the lower level and vertical side sheeting on the upper elevations and profile steel roof sheets. The roof will contain several roof lights.

The existing yard within the centre of the farm complex is to be resurfaced with concrete.

### **RELEVANT PLANNING APPLICATION HISTORY**

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

### **CONSULTATION RESPONSES**

#### Seascale Parish Council

No objections.

#### Highway Authority and Lead Local Flood Authority

Standing Advice.

#### Cumbria County Council Resilience Unit

No objections.

#### Environmental Health

No comments received.

#### Copeland's Flood and Drainage Engineer

Initially requested some additional information regarding the surface water disposal and then confirmed no objections.

#### United Utilities

Standing Advice.

#### Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 6 properties - 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

#### 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 Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy DS8PU – Reducing Flood Risk

Policy DS9PU – Sustainable Drainage

Policy RE1PU – Agricultural Buildings

## **ASSESSMENT**

The key issues raised by this proposal are the principle of development, its scale and design and impact on residential amenity, the landscape and visual impact, flood risk and drainage.

### 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.

As the proposal is to erect a roof over an existing silage pit and renew the concrete yard within the farm complex, it will 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 and some of the adjacent residential properties, the proposed structure will relate to existing buildings within the farm complex and it 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 building and the concreting of the yard to prevent water contamination and, therefore, the proposal is considered to be an appropriate form of development in the countryside 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 proposals are considered to be appropriate with regard to the existing farm buildings. The pitched roof and the heights of the proposed building will match the previously approved farm building and the 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.

### Residential Amenity

Policy ST1, DM10 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The application relates to Bailey Ground Farm, located along the south-east settlement boundary of Seascale. The proposed building will be approximately 80 metres away from the residential properties and due to the relationship with the existing farm buildings and hedges along the

boundary, the proposed structure will be well screened.

Overall, due to the significant separation distances, it is considered that the proposal will have not have a detrimental impact on residential amenity and therefore the proposal is considered to satisfy Policies ST1, DM10 and the NPPF guidance.

#### 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 Bailey Ground Farm complex on land currently utilised as part of the farmyard. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5b 'Lowland – Low Farmland, which includes an intensively farmed agricultural land. The CLCGT seeks to conserve and enhance the well-maintained working landscape.

The development is considered to be suitably located within the existing farm complex and it ensures the character of the area is not eroded with development away from the traditional farmstead. Despite the proposal being visible from the surrounding fields, the structure will be viewed in the context of the existing working farm and the modern agricultural buildings. The structure matches the appearance and scale of the existing buildings and this will help to 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 and Drainage

Policies ENV1 and DM24 seeks to protect developments against risks of flooding.

Following a review of the proposed drainage submitted the Council's Flood Engineer requested some additional information regarding the surface water disposal. The agent provided an additional drainage plan to confirm the existing and proposed connection to a reed bed via a 6-inch pipe previously installed by Cumbria County Council.

In addition, as the building will roof over an existing silage pit and the new concrete will renew the existing yard, no additional impermeable area will be created.

On the basis of this additional information the Flood Engineer raised no objection to the proposed development providing that the disposal of surface water is in accordance with the additional details received. This can be secured by the use of a planning condition.

United Utilities provided consultation comments on the drainage, although the proposal does not

	<p>include a new foul sewage connection.</p> <p>Overall, it is considered that the proposed agricultural building and re-surfacing 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>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a roof over an existing silage pit and renew the concrete yard within the farm complex. The main issue raised by the application was the location of the development outside of the settlement boundary and within the open countryside and the potential impacts on the landscape character. Although, the proposal relates to existing silage pit and farmyard and it will reduce contaminated surface water run-off.</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 residential amenity, the character and appearance of the surrounding landscape or flood risk.</p> <p>Overall, any 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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence 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: -</li> </ol> <p>Application Form, received 31<sup>st</sup> March 2022;  Site Location Plan, scale 1:1250, drawing ref 310-01101 Rev 3, received 31<sup>st</sup> March 2022;  Existing Site Block Layout Plan, scale 1:500, drawing ref 310-01103 Rev 2, received 31<sup>st</sup> March 2022;  Proposed Site Block Layout Plan, scale 1:500, drawing ref 310-01102 Rev 4, received 31<sup>st</sup></p>

	<p>March 2022; Proposed Floor Plan, scale 1:200, drawing ref 310-04101 Rev 1, received 31<sup>st</sup> March 2022; Proposed Elevations, scale 1:200, drawing 310-05101 Rev 1, received 31<sup>st</sup> March 2022; Proposed Drainage Plan, received 26<sup>th</sup> May 2022.</p> <p>Reason</p> <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.</p> <p>3. Prior to the first use of the building, the surface water drainage must be completed in accordance with details set out in the Drainage Plan and email from the agent received by the Local Planning Authority on 26<sup>th</sup> May 2022. The drainage must be maintained thereafter.</p> <p>Reason</p> <p>To ensure suitable surface water drainage is provided in accordance with Policy DM24 of the Copeland Local Plan.</p> <p><b>Informative Note</b></p> <p>The Cumbria County Council Resilience Unit advised due to the fact that the application could increase the number of persons in the area (including trade people), the applicant should liaise with Resilience Unit via <a href="mailto:emergency.planning@cumbria.gov.uk">emergency.planning@cumbria.gov.uk</a> to allow for further discussions 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.</p> <p><b>Statement</b></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>
Case Officer: C. Unsworth	Date : 08/06/2022
Authorising Officer: N.J. Hayhurst	Date : 10/06/2022
Dedicated responses to:-N/A	

