



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2273/OF1	
2.	Proposed Development:	ROOF OVER EXISTING SLURRY STORE	
3.	Location:	FLEMING HALL, GOSFORTH	
4.	Parish:	Gosforth	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, 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 Fleming Hall Farm, located to the west of Gosforth. The dairy farm comprises of a farmhouse, eight barns and associated outbuildings. The farm is accessed via a single access track and is within the open countryside.	
	Relevant Planning History		
		4/19/2328/OF1 – Application for prior notification of proposed demolition of barn – Approved	

4/19/2311/OF1 – Application for prior notification of proposed demolition of stable block – Approved

4/21/2347/OF1 – Construction of agricultural livestock building and stable block to replace now demolished barn building and stable block – Approved

4/21/2439/OF1 – Discharge of condition 3 of planning approval 4/21/2347/OF1 – Approved

4/22/2259/OF1 – Application to determine if prior approval is required for the demolition of a farm building and existing lean-to extension – Approved

4/22/2272/OF1 – Concreting of existing yard areas to reduce risk of contamination to ground waters - Ongoing

### **Proposal**

This application seeks planning permission for the erection of a roof over an existing slurry store. The slurry store is located within the centre of the existing farm unit surrounded by existing agricultural buildings. The existing slurry store is set below the existing farmyard level and is enclosed by a 2m wall. The proposed roof will extend over the full slurry store and will benefit from an eaves height of 4.4m and an overall height of 7.4m. Externally the development will be finished with a corrugated roof self-coloured grey material and the main frame is a steel portal frame.

### **Consultation Responses**

#### Gosforth Parish Council

No objections.

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

No objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

#### Copeland Borough Council – Flood and Coastal Defence Engineer

*6<sup>th</sup> July 2022*

I am making an assumption that the existing slurry store has a concrete base and as such this application seeks to reduce the contamination risk from runoff and will utilise existing drainage systems and in theory will not increase the drained impermeable surface area.

However, due to a complete lack of submitted information, I have some comments and queries on this application:

- Which watercourse is it proposed to discharge the surface water to?
- How is it proposed to get to this watercourse?

- Does this increase the impermeable drained surface area?

*30<sup>th</sup> August 2022*

Thanks for this, it is useful and is not the way I thought it was.

With regards to my question on any impermeable surface area increase, I'm still waiting an answer.

I'm guessing that as per my earlier e-mail the slurry store has got a concrete floor already, so the roof won't actually increase the impermeable surface area to be drained.

*31<sup>st</sup> August 2022*

No objections.

Copeland Borough Council – Environmental Health

No comments received.

Cumbria County Council – Footpaths Officer

No comments received.

Cumbria County Council – Resilience Unit

No objections. However it should be noted that the location of the property is situated within an area outside the site which, in liaison with Sellafield Ltd and the Office for Nuclear Regulation, special arrangements are made for residents/business premises, this area is referred to as the Detailed Emergency Planning Zone (DEPZ). As a direct result particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the Sellafield site.

Public Representation

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

Policy ENV5 – Protecting and Enhancing the Borough’s Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM24 – Development Proposal and Flood Risk

Policy DM30 – Rural Buildings

Policy DM26 – Landscaping

**Other Material Planning Considerations**

National Planning Policy Framework (2021)

Cumbria Development Design Guide

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.

**Assessment**

This application raises issues of the principle of the development; siting, scale and design, landscape and visual amenity; and drainage.

Principle of Development

Policy ST2 of the Local Plan supports development outside of settlement, which have a proven requirement for such location, including agriculture. Policy DM30 and section 6 of the NPPF supports proposals for small holdings and equine related developments 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 create a new roof over an existing slurry store, within the centre of the existing farm complex, these works are considered to be an appropriate form of development in the countryside in accordance with Policy ST2 and DM30 of the Local Plan.

### Siting, Scale and Design

The application site is located within open countryside, with only the farmhouse and a bungalow located within proximity of the site. The existing slurry store is located within the centre of the existing farm complex surrounded by other agricultural buildings. The development is, therefore, not considered to have an adverse impact on any residential amenity. On the basis of the above, the scale and design of the proposal therefore is considered to be appropriate with regard to the existing site and is unlikely to cause any demonstrable harm, in accordance with Policy DM30.

### 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 centre of the existing farm complex and adjacent to a number of existing agricultural buildings associated with Fleming Hall. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5b: Low Farmland. This area is characterised by undulating and rolling topography with intensely farmed agricultural pastures.

The proposed agricultural building is located to the east of the site behind and adjoining a number of existing farm buildings. The building will run adjacent to the existing farm buildings within the site, limiting the impact of the development within the locality. The proposed development would therefore be viewed against the backdrop of these existing agricultural building. Based on this, the proposal is therefore not considered to result in intrusion into open countryside or impact on the character and appearance of the surrounding area.

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

### Drainage

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.

The proposal is not located within an area identified as either a Flood Risk Zone 2 or 3. As part of the application process the Council's Flood and Coastal Defence Engineer requested clarification regarding the drainage at this site and whether the development increased the impermeable surface

	<p>at this site. Following confirmation of these issues the Officer has confirmed that he has no objections to the development.</p> <p>On this basis, the proposal is considered to achieve the requirement of Policies ST1, ENV3 and DM25 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusions</u></p> <p>This application seeks planning permission to erect a roof over an existing slurry store.</p> <p>The building is considered appropriate in terms of use and scale in this location, and, due to its siting within the centre of the existing farmyard, is not considered to have an adverse impact on any nearby residential properties or the character and appearance of the local landscape.</p> <p>The proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of 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 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 shall be carried out in accordance with them:- <ul style="list-style-type: none"> <li>- Site Plan, Scale 1:1250, received by the Local Planning Authority on the 27<sup>th</sup> June 2022.</li> <li>- Block Plan, Scale 1:500, received by the Local Planning Authority on the 27<sup>th</sup> June 2022.</li> <li>- As Proposed Building (Amended), Scale 1:100, Dwg No: 01, Rev: A, received by the Local Planning Authority on the 24<sup>th</sup> August 2022.</li> <li>- As Proposed Building (Amended), Scale 1:100, Dwg No: 02, Rev: A, received by the Local Planning Authority on the 24<sup>th</sup> August 2022.</li> </ul> </li> </ol>

- Drainage Details, received by the Local Planning Authority on the 24<sup>th</sup> August 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.

**Informative:**

The applicant should liaise with the CCC - Resilience Unit office via [emergency.planning@cumbria.gov.uk](mailto: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.

**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 :** 31.08.2022

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

**Date :** 02.09.2022

**Dedicated responses to:-**