

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2310/OF1
2.	Proposed Development:	REPLACEMENT OF AN AGRICULTURAL BUILDING FOR USE AS A GENERAL PURPOSE STORE (RETROSPECTIVE)
3.	Location:	LOW FARM, MOOR ROW
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION <p>The application relates to Low Farm, located along the south-east settlement boundary of Moor Row. The site is accessed off Dalzell Street and benefits from a number of agricultural buildings. It lies adjacent to residential properties.</p> PROPOSAL <p>Retrospective Planning Permission is sought for the replacement of an agricultural building with a new building that is to be used as a general-purpose store.</p> <p>The building is located within Moor Row's settlement boundary towards the southern boundary of the farm complex. It measures 9.8 metres in width and 18.5 metres in depth. The concrete hard standing, supporting steel pillars and concrete panels to the lower portions of the walls have been installed. It is the intention to finish the building by enclosing it with juniper green profiled sheeting</p>	

on the upper elevations and the installation of a pitched roof over the structure. This will have an eaves height of 5 metres and an overall height of 6.071 metres and will be constructed of anthracite 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

Egremont Town Council

No objections.

Highway Authority and Lead Local Flood Authority

Standing Advice.

CBC Flood Engineer

No objections based on the updated drainage details.

Environmental Health

No comments received.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 4 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 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.

The retrospective application seeks to retain a partly erected replacement building within the farm

complex to provide additional capacity to the farm and this is considered to be an appropriate form of development. Despite being visible from the surrounding road, fields and the adjacent residential properties, the building relates to existing farm complex and it is 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 structure is considered to be appropriate with regard to the existing farm buildings. The pitched roof and the height of the building will, once constructed, reflect 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.

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 Low Farm, located along the south-east settlement boundary of Moor Row and therefore the application site lies adjacent to residential properties on Dalzell Street. Despite part of the building being visible from these residential properties, it will be viewed in the context of the existing working farm and the modern agricultural buildings. No concerns have been raised as part of the consultation process and, due to the modest scale, it will not cause significant overshadowing or overdominance.

Overall, it is considered that the proposal will 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 Low 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 5d 'Lowland – Urban Fringe', which includes agricultural landscapes with urban and industrial influences and in many parts maintain a rural character. The CLCGT seeks to enhance the landscape through restoration.

The development is considered to be suitably located within the existing farm complex and it ensures that the character of the area is not eroded with development away from the traditional farmstead. Despite the proposal being visible from the area, the structure will be viewed in the context of the existing working farm and the modern agricultural buildings. The structure, once complete, will match the existing buildings in terms of material 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 and Drainage

DM24 seeks to protect development against flood risk.

The proposal is located within Flood Zone 1 and it will not increase the area of non-permeable ground within the farm yard. In addition, the use will remain the same 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.

Additional drainage details were sought and the agent confirmed that the applicant was successful in gaining a grant, funded by Natural England and DEFRA, to provide clean water discharge for surface water from the site. The whole yard area and the rainwater discharge for the existing buildings on site connect to the system and drain into a pond on land at the rear of the property. The development will connect to this existing sustainable system and therefore Copeland's Flood and Drainage Engineer has raised no objections to the proposal.

As the development will reduce contaminated surface water run-off, the proposal is considered to be an appropriate form of agricultural development.

Overall, the proposal is considered to be acceptable in terms of DM24 of the Copeland Local Plan and the NPPG guidance.

Planning Balance and Conclusion

This retrospective application seeks to retain a partly erected replacement agricultural storage building towards the southern boundary of Low Farm farmyard. The main issue raised by the application was the siting of the development and the potential impacts on residential amenity and the landscape character. However, the proposal relates to the existing farm complex and it will provide additional capacity to the working farm.

As the proposal replaces a previous farm building, it is considered to be appropriately located within the existing farm complex and the scale will be relatively modest to reflect similar agricultural buildings within the locality. The design is also considered to be suitable for its use and the proposal

	<p>will have little impact on residential amenity, the landscape and visual impact, flood risk and drainage.</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:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. 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: -</p> <p>Application Form, received 20th July 2022;</p> <p>Location Plan, scale 1:2500, drawing ref JGI/KT/22/01, received 20th July 2022;</p> <p>Block Plan, scale 1:500, drawing ref JGI/KT/22/01, received 20th July 2022;</p> <p>Proposed Floor Plan and Elevations, scale 1:100, drawing ref JGI/KT/22/01, received 20th July 2022;</p> <p>Design and Access Statement, ref JI/KT/22/DAS, received 20th July 2022;</p> <p>Proposal Outline, received 20th July 2022;</p> <p>Email from agent confirming drainage details, received 28th September 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>Informative Note</p> <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:</p> <p>www.gov.uk/government/organisations/the-coal-authority</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 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 : 06/10/2022</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 10/10/2022</p>
<p>Dedicated responses to:- N/A</p>	