

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2056/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 3 OF PLANNING APPLICATION 4/22/2371/0F1
3.	Location:	PALLAFLAT FARM, BIGRIGG, EGREMONT
4.	Parish:	Egremont, St. Bees
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>The application relates to Pallaflat Farm, a small-holding located approximately 0.45 miles to the south-west of Bigrigg. The small holding is made up of three fields totalling 8.5 acres.</p> <p>PROPOSAL</p> <p>In 2022, planning permission (ref: 4/22/2371/0F1) was granted for the erection of an agricultural implements shed.</p> <p>This current application seeks approval of details reserved by planning condition 3 attached</p>

to the planning approval. This condition states the following:

Prior to commencement of development on the site a detailed drainage scheme must be submitted to and agreed in writing by the Local Planning Authority. The scheme must be implemented in accordance with the approved details and fully operational prior to the first use of the building hereby approved and must be retained in perpetuity thereafter.

Reason

To ensure a satisfactory form of development and reduce the risk of flooding in accordance with Policy DM24 of the Copeland Local Plan.

The information submitted in support of this current application comprises the following:

- Site Plan to show the proposed soakaway crates location;
- Soakaway calculations;
- Soil Infiltration Report.

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

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local 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 2021-2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF. The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

	<p>Policy RE1PU – Agricultural Buildings</p> <p>ASSESSMENT</p> <p>Policy DM24 seeks to protect development against flood risk.</p> <p>The site is greenfield (extended gardens and paddock) and forms the corner of the extensive grounds associated with an existing and long-established residential plot.</p> <p>The Soil Infiltration Report noted the published geological plans indicate the site to be within an area of solid outcrop comprising the St Bees Sandstone with the Brockram Breccia to the immediate east. An area of glacial till (sandy gravelly clay) is also indicated to the immediate east.</p> <p>The site works were completed on the 9th February 2023 and comprised 3 No. trial pits (TP01 to TP03). Soil Infiltration tests were completed at all the trial pits and involved partially filling the pits with water and monitoring the water levels until the water had drained sufficiently to calculate a soil infiltration rate. TP03 exhibited greater permeability suggesting good drainage characteristics and a medium permeability classification.</p> <p>Cumberland's Drainage Engineer was satisfied with the submitted details and that the site plan confirmed the soakaway will be located at the acceptable trial pit. Based on the details submitted, the Local Planning Authority is satisfied with the information provided.</p> <p>On this basis, the proposal drainage details are considered to meet Policy DM24 of the Copeland Local Plan.</p> <p><u>Conclusion</u></p> <p>Approve discharge of planning condition 3.</p>	
8.	<p>Recommendation:</p> <p>Approve</p>	
Case Officer: C. Unsworth		Date : 17/04/2023
Authorising Officer: N.J. Hayhurst		Date : 17.04,2023
Dedicated responses to:- N/A		