

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2194/0F1	
2.	Proposed Development:	SITING OF A SINGLE STATIC CARAVAN (RETROSPECTIVE)	
3.	Location:	HAVERIGG HOUSE, 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 Haverigg House, located to the south west of Gosforth, separated from the main village by the A595. The site is accessed from the B5344.		
	Previously the property was operated as Westlakes Hotel, however this ceased trading at the		

end of 2019. The property now operates as a dwelling with six letting rooms to the rear. Due to the previous use of the site as a hotel there is a large existing car parking area which extends around the front and north west side of the property.

Relevant Planning History

4/20/2033/0F1 – Change of use of hotel to dwelling with six letting rooms – Approve.

Proposal

This application seeks retrospective planning permission for the siting of a single static caravan within the curtilage of the dwelling.

The applicants run and own several businesses in the local area, including the letting rooms at Haverigg House and the campsite and lodges at Fishergound. As part of these operations they require accommodation for some of their full time employees during the winter months due to seasonal campsite restrictions. The caravan is occupied by two employees who work at Haverigg House during this period.

At present there are two static caravans located within the south west corner of the site, however one will be removed as this is now surplus to requirements. The other static caravan will be relocated within the site so that it sits next to and runs parallel to the main dwelling and outbuildings. The remaining static caravan measures 3.6m x 10.6m and 3m in height.

Consultation Responses

Gosforth Parish Council

8th August 2023

Gosforth Parish Council has concerns regarding visual amenity as the caravans are visible from nearby properties and from the road. Councillors recommend a site visit to investigate the lack of screening on three sides of the property. If approval is granted, Councillors also recommend applying a local occupancy clause to ensure the caravans are used by people living or working in the area as per the Design & Access Statement. One Councillor also raised concerns regarding the disposal of sewerage and the capacity of the drainage system.

29th August 2023

The Parish Council considered the application at a meeting yesterday evening and have no objections to the application provided that adequate screening on all sides is made as a condition due to the visual impact on neighbouring properties.

Cumberland Council – Highway Authority & LLFA



Cumberland Council

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have 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.

United Utilities

No comments received.

Cumberland Council – Environmental Health

I can advise that the Environmental Health team has no objections to the above proposal.

The use of caravans for seasonal workers does also not require a site licence under the Caravan Sites and Control of Development Act 1960.

Cumberland Council & Westmorland and Furness Council – Resilience Unit

9th August 2023

The applicant should note that they are required to contact the Joint Emergency Management and Resilience office via emergency.planning@westmorlandandfurness.gov.uk to ensure information about the development can be captured and the Sellafield Off Site Emergency Plan can be updated accordingly. The type of information required to be included in the plan is the location and type of development. This information is vital to ensure public protection is in place in the event of an incident at the Sellafield Site. This liaison is essential to ensure all occupants are aware of the appropriate information and actions to take should there be an incident at the Sellafield Site.

As the caravans are already in place this is a matter of urgency. We would like to gather this information for the plan and arrange a site visit.

There are no objections to the proposed works.

4th September 2023

Thank you for the opportunity to view the above planning application but there are no further comments in addition to the email response below sent on the 9th August 2023.

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

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 ER4 – Land and Premises for Economic Development

Policy ER6 – Location of Employment

Policy ER11 – Developing Enterprise and Skills

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM3 – Safeguarding Employment Areas

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposal and Flood Risk

Policy DM26 – Landscaping



Cumberland Council

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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Policy DS6PU: Design and Development Standards

Policy DS7PU: Hard and Soft Landscaping Strategic

Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Policy DS10PU: Soils, Contamination and Land Stability

Policy DS11PU - Protecting Air Quality Strategic

Strategic Policy H1PU: Improving the Housing Offer

Strategic Policy H2PU: Housing Requirement

Strategic Policy H3PU: Housing delivery

Strategic Policy H4PU: Distribution of Housing

Strategic Policy H5PU: Housing Allocations

Policy H6PU: New Housing Development

Policy H7PU: Housing Density and Mix Strategic

Policy E1PU: Economic Growth Strategic

Policy E2PU: Location of Employment Strategic

Policy E5PU: Employment Sites and Allocations Strategic

Policy N3PU: Biodiversity Net Gain Strategic

Policy N6PU: Landscape Protection Strategic

Policy CO4PU - Sustainable Travel

Policy CO5PU - Transport Hierarchy

Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG)

Cumbria Development Design Guide (CDG)

Assessment

The key issues raised by this application relate to the principle of the development; impact of the development; impact on highways/parking; and drainage.

Principle of Development

Policies ST1, ST2 and ER6 of the Copeland Local Plan seek to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The application site is located to the south west of Gosforth, separated from the main village by the A595.

Policy ST2 of the Copeland Local Plan identifies the application site as outside of any defined settlement boundary. Policy ST1 and ST2 of the Copeland Local Plan seeks to support development outside of designated settlement to those which have a proven requirement for such a location, including land uses characteristically located outside settlements such as tourism activities requiring location in the countryside and housing that meets a proven and specific need.

Within the Emerging Local Plan, under Policy DSPU3 the site continues to be identified as within open countryside. Policy DS4PU allows for a number of types of developments within open countryside where there is a proven need, including agriculture, forestry, farm diversification, or tourism proposals.

The NPPF also recognises that sites to meet local business and community needs in rural



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areas may have to be found adjacent to or beyond existing settlements.

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy.

The NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The supporting statement for this application states that the applicants run and own several businesses in the local area, including the letting rooms at Haverigg House and the campsite and lodges at Fishergound. As part of these operations, they require accommodation for some of their full time employees during the winter months due to seasonal campsite restrictions. The two employees requiring this accommodation work at Haverigg House during this period. At present there are two static caravans located within the south west corner of the site, however one will be removed as this is now surplus to requirements.

The application seeks retrospective planning permission to retain one static caravan at this site to accommodate workers at this site. The agent has confirmed that the existing letting rooms associated with the property are on long term lease to Sellafield and are occupied at all times and therefore cannot meet this required need.

In order to support the needs of this local business, the principle for this siting is considered acceptable, however due to the business need for this additional accommodation it is deemed acceptable to limit this permission by condition to a temporary period of three years so the need and siting can be reviewed by the Local Planning Authority. Conditions will also be utilised to restrict the occupancy of the caravan to meet the need set out within the supporting statement for this application.

Impact of the Development Within the Locality

Within the Copeland Local Plan, Policies ST1 and DM10 of the Local Plan, and section 12 of the NPPF seek to secure high standards of design to achieve quality of place. These policies seek to create and maintain a reasonable standard of amenity.

Policy DS6PU of the Emerging Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

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.

Policy DM26 of the Copeland Local Plan stated that where necessary development proposals will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character, and mitigate against any adverse visual impact. Care should be taken that landscaping schemes do not include invasive non-native species.

Within the Emerging Local Plan, Policy N6PU states that the Borough's landscapes will be protected and enhanced by supporting proposals which enhance the value of the Borough's landscapes, protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value. It is stated that proposals will be assessed according to whether the proposed structures and associated landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment and that consideration must be given to the Council's Landscape Character Assessment, Settlement Landscape Character Assessment and the Cumbria Landscape Character Guidance and Toolkit at the earliest stage.

The application site is located within open countryside, separated from the village of Gosforth by the A595, and lies adjacent to a new housing development of five dwellings.

The two static caravans are currently sited to the rear south west corner of the application site. Following discussions with the agent it has been established that there is only a need for a single caravan at this site, therefore the application was amended to reflect this. As the second caravan is still located at this site it is considered to be reasonable to impose a condition to ensure this structure is removed from the site within a reasonable timescale.

Concerns were also raised with regard to the siting of the caravan, therefore the agent submitted a plan to relocate the remaining caravan so that it lies adjacent to and runs parallel to the main property and outbuildings. This amended position means that the siting of this caravan limits the visual impact on the surrounding area as it mirrors the orientation of the main property. This amended siting also results in the smaller gable elevation being visible from the main vantage points along the A595 and the adjacent housing site, again limiting the impacts on the rural landscape. An appropriately worded planning condition is proposed to ensure that the remaining caravan on the site is relocated to the approved position within a reasonable timescale.

The Parish Council originally raised concerns with regard to the siting of the two caravans and the impact on the surrounding area and residential amenity. The amended plans have resulted in comments of no objection from the Parish Council but they have requested that a condition is attached to this application to ensure that adequate screening is secured on all sides of the caravan in order to limit the visual impact on neighbouring properties. The amended location of the caravan has been agreed with the agent in order to limit the impact



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on neighbouring properties, therefore it is not deemed that additional landscaping is necessary or reasonable in this case. The caravan has been positioned so that it does not extend beyond the blank gable of the adjacent property and lies adjacent to a number of existing structures on the site including the detached garage, therefore the caravan would not be out of context with the wider site. Plans also confirm that the gable windows and doors will be facing into the application site away from the adjacent properties and the 2m high boundary fence between the two sites. On this basis and due to the temporary nature of the permission it is not deemed necessary or justifiable to request additional screening for the development.

Subject to appropriate planning conditions to secure the rerelocation of the existing caravan, the development is considered to comply with Policies ST1, ENV5, DM10 and DM26 of the Copeland Local Plan, Policies DS6PU and N6PU of the Emerging Local Plan, and provisions of the NPPF.

Access and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

Policies CO4PU, CO5PU and CO7PU of the ELP promotes active travel.

The application seeks to utilise the existing access to the application site. Whilst the amended siting of the single static caravan will impact on some of the existing car parking spaces within the site, these are now surplus to requirement given that the site is no longer in use as a hotel. The remaining extensive car parking area is considered to be sufficient to accommodate the requirements of the current use of the site as a dwelling with 6 private letting rooms.

Cumbria Highways have been consulted on this application and have confirmed that they have no objections to the application as it is considered that it will not have a material effect on existing highway conditions.

On this basis it is considered that the proposal will not have a detrimental impact on highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan, Policies CO4PU, CO5PU and CO7PU of the Emerging Local Plan and provisions of the NPPF.

Flood Risk and Drainage

Policy ST1 of the Copeland Local Plan and paragraph 159 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 for the lifetime of the development.

Policy ENV1 and DM24 of the Copeland Local Plan, and Policy DS8PU of the Emerging Local Plan state that development will not be permitted where: there is an unacceptable risk

of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DM11 of the Copeland Local Plan and Policy DS9PU of the Emerging Local Plan requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site lies within Flood Zone 1.

The agent for the application has confirmed that the foul water from the development will connect into the existing foul drainage system for the house, which discharges to the main sewer. Given the small scale and temporary nature of this proposal it is not considered that an additional caravan at this site will have any significant impact on the existing drainage systems.

On this basis it is considered that the proposal will not have a detrimental impact on flood risk in accordance with Policies ST1, ENV1 and DM24 of the Copeland Local Plan, Policies DS8PU and DS9PU of the Emerging Local Plan, and the provisions of the NPPF.

Planning Balance & Conclusion

The application site relates to the former Westlakes Hotel, which is now known as Haverigg House. It currently operates as a dwelling and letting rooms.

The site is located within open countryside to the south west of the village of Gosforth. Policy ST1 and ST2 of the Copeland Local Plan seeks to support development outside of designated settlement to those which have a proven requirement for such a location, including land uses characteristically located outside settlements such as tourism activities requiring location in the countryside and housing which meets a proven need.

The caravan is required to provide winter accommodation for workers associated with the applicants business operating at this site and others within the local area. In order to support the needs of this local business, the principle of development for the siting of a single caravan is considered to be acceptable subject to conditions limiting the time period and also the occupancy.

The application has been amended to remove one of the caravans from the site. The removal of the remaining caravan will be secured by condition. The siting of the caravan has also been amended to ensure the structure is better related to the existing structures on site and to limit the impacts on the local area and adjacent residential amenity. The relocation of the single caravan will also be secured by condition.

The development is not considered to impact on existing highway or drainage conditions.

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.



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8.	<p>Recommendation: Approve</p>
9.	<p>Conditions: <u>Standard Conditions:</u></p> <ol style="list-style-type: none">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:-<ul style="list-style-type: none">- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 6th July 2023.- Existing Site Plan, Scale 1:200, Drwg No: 6302/b/b/01, received by the Local Planning Authority on the 6th July 2023.- Existing Site Plan: Proposed Site Plan Alternative Option 2 (Amended), Drwg No: 6302/b/b/01, received by the Local Planning Authority on the 22nd August 2023.- Design & Access Statement (Amended), received by the Local Planning Authority on the 22nd August 2023. <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><u>Restriction of Use Conditions:</u></p> <ol style="list-style-type: none">2. The static caravan hereby permitted must only be occupied by a person solely employed by the business known as Haverigg House and must not be let or sold as a separate permanent dwelling. <p>Reason</p> <p>The caravan is not considered appropriate for use as a separate residential unit.</p> <ol style="list-style-type: none">3. This permission shall expire on the 29th September 2026. At or before the expiration of this period the static caravan, and all other materials and equipment brought onto the land in connection with its use must be removed and the land restored in accordance

with a scheme previously submitted to and approved in writing by the Local Planning Authority unless prior written approval of the Local Planning Authority has been obtained for its continued siting.

Reason

The use hereby approved is not considered suitable as a permanent form of development.

Other Conditions:

4. Within three months of the date of this permission, the approved static caravan must be relocated in accordance with the approved plan 'Existing Site Plan: Proposed Site Plan Alternative Option 2 (Amended), Drwg No: 6302/b/b/01, received by the Local Planning Authority on the 22nd August 2023'. The static caravan must remain within this approved location at all times thereafter.

Reason

In the interest of visual and residential amenity.

5. Within three months of the date of this permission, the second static caravan must be permanently removed from this site.

Reason

In the interest of visual and residential amenity.

Informative:

The applicant should note that they are required to contact the Joint Emergency Management and Resilience office via emergency.planning@westmorlandandfurness.gov.uk to ensure information about the development can be captured and the Sellafield Off Site Emergency Plan can be updated accordingly. The type of information required to be included in the plan is the location and type of development. This information is vital to ensure public protection is in place in the event of an incident at the Sellafield Site. This liaison is essential to ensure all occupants are aware of the appropriate information and actions to take should there be an incident at the Sellafield Site.



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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 : 28.09.2023

Authorising Officer: N.J. Hayhurst

Date : 29.09.2023

Dedicated responses to:- N/A