

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2250/0F1
2.	Proposed Development:	ERECT BUILDING OVER MANURE STORE
3.	Location:	SCALE HOOK FARM, HAWES LANE, HAVERIGG
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
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	
		The application relates to Scale Hook Farm, located along the western boundary of Haverigg. The site is accessed via an access track off Haws Lane and benefits from a number of agricultural buildings.
	PROPOSAL	
		Planning Permission is sought for the erection of a new agricultural building over a manure

store.

The proposed building will measure 18.3 metres in width and 9.15 metres in depth. It will include a pitched roof with an eaves height of 3.66 metres and an overall height of 5 metres. It has been designed to match the existing farm buildings elevations with concrete wall panels on the lower elevations and Yorkshire boarding on the upper elevations and a grey cement fibre roof.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this site.

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highway Authority and Lead Local Flood Authority

Standing Advice.

Environmental Health

No objections.

Public Representations

The application has been advertised by way of site notice and neighbour consultation letter 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

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 local development plan documents continue to apply to the geographic area of



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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 ENV3 – Biodiversity and Geodiversity

Policy ENV5 - Protecting and Enhancing the Borough's Landscape

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

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)

Wildlife and Countryside Act 1981

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

Policy RE1PU – Agricultural Buildings

Policy N1PU – Conserving and Enhancing Biodiversity and Geodiversity

ASSESSMENT

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

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.

The proposal relates to an existing farm yard and it will build over an existing open manure store to reduce dirty water run-off. Policy DM30 supports new agricultural buildings subject to detailed criteria, which are considered below.

On this basis, the principle of development is acceptable in accordance with Policy ST2 of the Copeland Local Plan.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM30 states proposals for new agricultural buildings and small holdings will be permitted as long as they are well related to existing settlement of farm building complex, are of an appropriate design and scale, use materials and colour to blend into its surroundings, and do not adversely impact on local landscape or the amenity of nearby residential properties.

The scale and design of the proposed structure is considered to be appropriate with regard to the existing farm buildings. The pitched roof and the height of the building will 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.



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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 Scale Hook Farm, located along the south-west settlement boundary of Haverigg. No concerns have been received as part of the neighbour consultation and, due to the relationship with the existing farm buildings and the proposed location approximately 40 metres away from the residential properties, the proposed structure will be well screened.

On this basis, residential amenity issues are considered to be minimal 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 Scale Hook Farm complex on land currently utilised as an open manure store. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 2a 'Coastal Margins – Dunes and Beaches' which are very open and grazed. The CLCGT seeks to conserve and enhance the grassland landscape.

The development is considered to be suitably located within the existing farm complex, adjacent to an existing building. This 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. The structure matches the existing buildings 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. The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the CLCGT.

Ecology

Policy ST1, ENV3 and DM25 and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

The application site is identified as a potential area for natterjack toads. The application is not supported by any ecology details as the site relates to a new development which is not

	<p>located within 200m of a watercourse (as indicated within the ALGE trigger list). On this basis, it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this agricultural application.</p> <p>It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a new agricultural building over an existing manure store. The proposal relates to an existing farm complex, along the Haverigg settlement boundary and it will reduce contaminated surface water run-off. The agricultural development is considered to be appropriately located 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 landscape character or ecology.</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: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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: - Application Form, received 7th September 2023; Site Location Plan, scale 1:1250, drawing 1780, received 7th September 2023; Block Plan, scale 1:300, drawing 1780, received 7th September 2023; Proposed Floor Plan, Elevations and Sections, scale 1:100 and 1:50, drawing 1780,



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received 7th September 2023;
Design and Access Statement, received 7th September 2023.

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.

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. Wootton

Date : 20/10/2023

Authorising Officer: N.J. Hayhurst

Date : 27/10/2023

Dedicated responses to:- N/A