

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2330/0F1
2.	Proposed Development:	PART-RETROSPECTIVE ROOFING OF TWO EXISTING CATTLE YARDS AND RECONCRETING OF BROKEN CONCRETE YARD
3.	Location:	BROOM HOW, HALLSENNA
4.	Parish:	Gosforth
5.	Constraints:	<p>ASC;Adverts - ASC;Adverts,</p> <p>Safeguard Zone - Safeguard Zone,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Gas Pipeline - Northern Gas Pipeline - 135m buffer,</p> <p>DEPZ Zone - DEPZ Zone, Preferred Route Corridor - Within Preferred Route Corridor,</p> <p>Outer Consultation Zone - Drigg 3KM,</p> <p>Outer Consultation Zone - Sellafield 10KM</p>
6.	Publicity Representations &Policy	<p>Neighbour Notification Letter: NO</p> <p>Site Notice: YES</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	Report:	
	SITE AND LOCATION	
	<p>The application relates to Broom How Farm, Hallsenna located to the east of Seascale. The site is accessed via an unclassified access track off the A595 and benefits from a number of</p>	

agricultural buildings.

PROPOSAL

Part-Retrospective Planning Permission is sought for the erection of a roof over two existing cattle yards and the re-concreting of a broken concrete yard.

The covered roof 1 measures 6 metres in length and 13.5 metres in width. It has been designed to include a pitched roof with an eaves height of 3.65 metres and an overall height of 4.8 metres.

The covered roof 2 measures 13.5 metres in length and 7 metres in width. It has been designed to include a lean-to roof with an eaves height of 3.35 metres and an overall height of 4.25 metres.

Both roofs have been constructed out of cement fibre roof sheets with GRP roof lights.

The proposed re-concreting of the yard covers an area of 997 square metres and it will be constructed out of concrete.

RELEVANT PLANNING APPLICATION HISTORY

There have been several planning applications for agricultural developments.

CONSULTATION RESPONSES

Consultees

Seascale Parish Council – No objections.

Highway Authority and Lead Local Flood Authority – No objections.

Public Representations

The application has been advertised by way of site notice - 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

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 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 DM26 - Landscaping

Policy DM30 – Rural Buildings

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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

ASSESSMENT

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

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 complex. It will result in the roofing over of two existing cattle yards to improve animal welfare over winter and also the re-concreting of an existing broken concrete yard 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 roof structures and yard surfacing are considered to be appropriate with regard to the existing farm buildings and farm complex. The roof designs and heights reflect the existing buildings and character of the farm. In addition, the use of matching materials ensures that the new structure relate well to the existing farm buildings.



Cumberland Council

On this basis, the proposal is considered to comply with Policies ST1 and 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 Broom How Farm complex on land currently utilised as existing cattle yards and the wider farmyard. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5b 'Lowland – Low Farmland, which includes an intensively farmed agricultural land. The CLCGT seeks to conserve and enhance the well-maintained working landscape.

The development is considered to be suitably located adjacent to and in the middle of the existing farm complex. This ensures that the character of the area is not eroded with development away from the traditional farmstead. The structure will be viewed in the context of the existing working farm and the modern agricultural buildings. The structure matches the existing buildings, and this will help to 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.

Planning Balance and Conclusion

This application seeks part-retrospective planning permission for the erection of a roof over two existing cattle yards and the re-concreting of a broken concrete yard.

The proposal relates to an existing farm complex, and it will improve animal welfare and 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 the landscape character.

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.

8. **Recommendation:**
Approve (commence within 3 years)

9. **Conditions:**
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:-

Application Form, received 13th November 2023;
Site Location Plan, scale 1:1250, received 13th November 2023;
Block Plan, scale 1:500, received 13th November 2023;
Roof Elevations, received 13th November 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 : 05/01/2024

Authorising Officer: N.J. Hayhurst

Date : 08/01/2024

Dedicated responses to:- N/A