



**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/24/2020/0F1	
2.	Proposed Development:	SITING OF A STATIC CARAVAN FOR THE USE OF WARDENS ON SITE	
3.	Location:	SHEPHERDS VIEWS HOLIDAYS, DRIGG	
4.	Parish:	Drigg and Carleton	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Drigg 3KM, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letter	No
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	<p>This application relates to Shepherds View Holidays, located to the north west of Drigg. The holiday site is set within 230 acres and accommodates both touring caravans and camping pitches. The site is permitted to operate all year round. The site lies adjacent to an existing farm unit and is surrounded by open countryside.</p> <p>Access to the site is via the existing track from the B5344.</p>		

Relevant Planning History

4/13/2061/0F1 – Erection of wind turbine 45.5 metres to blade tip height and associated metering units – Approved.

4/13/2450/0F1 – Variation of conditions 2 and 5 of planning approval 4/13/2061/0F1 (single wind turbine) – Approved.

4/14/2102/0F1 – Erection of wind turbine 57 metres to blade tip height, two metering units, access track, crane, and assembly areas (as replacement for previously approved 45.5 metre blade tip height turbine – Refused.

4/17/2336/0F1 – 20 No. touring caravan pitches in lieu of 26 No. pitches plus an extension of all pitches (79 No.) from seasonal to year round use (Part Retrospective) – Approved.

Proposal

This application seeks planning permission for the siting of one static caravan for the use of wardens on site. The proposed caravan will be located within the centre of the holiday park site and will be served by a single parking space. The caravan is proposed to be located within this position to provide close access to the reception and check in area to ensure that it is visible at all times.

The proposed caravan will measure 36ft x 12ft with an overall height of 12ft. The siting will result in the loss of one existing touring caravan space, and foul water will discharge to the existing treatment tank.

Consultation Responses

Drigg & Carleton Parish Council

The caravan is not sited on a greenfield site, will not be visible from the road and will improve safety and security on the caravan site.

Cumberland Council – Highway Authority & Lead Local Flood Authority

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

However, a PROW bridleway 405010 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.



Cumberland Council

United Utilities

United Utilities has no further comment on this application.

Cumberland Council – Environmental Health

Environmental Health have no objection to the above proposal.

The warden/s will be employed on a seasonal basis, and the static caravan used as such, with it being closed during the 'off season' period (even though the site has all year round permitted use it is not busy enough to justify a permanent warden).

As such, the static caravan will not need to be included on the holiday site licence under the Caravan Sites and Control of Development Act 1960.

You may wish to condition the use of the static caravan for sole use in conjunction with seasonal employment as a site warden and not to be used for holiday purposes at any time.

Natural England

NO OBJECTION.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Cumberland Council & Westmorland and Furness Council – Resilience Unit

Thank you for the opportunity to comment on the above planning application. This response from the Joint Emergency Management and Resilience Team relates to emergency planning arrangements in the unlikely event of an incident occurring at Sellafield Ltd. The Sellafield site is currently covered by the provision of the Radiation (Emergency Preparedness and Public Information) Regulations 2019.

There are no objections to the proposed works.

However it should be noted that the location of the property is situated within an area outside the site which, in liaison with Sellafield Ltd and the Office for Nuclear Regulation, special arrangements are made for residents/business premises, this area is referred to as the Detailed Emergency Planning Zone (DEPZ). As a direct result particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the Sellafield site.

In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) I would be grateful if you could advise the applicant to liaise with this office via emergency.planning@westmorlandandfurness.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

Public Representation

This application has been advertised by way of a site notice. 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 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 ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments



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Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Emerging Copeland Local Plan 2021 – 2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and will close on the 28th March 2024.

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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

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

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

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2PU: Local Nature Recovery Networks

Strategic Policy N6PU: Landscape Protection

Policy N9PU - Green Infrastructure

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)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council - Strategic Housing Market Assessment and Objectively Assessed Housing Need (SHMA).

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Assessment

The key issues raised by this application relate to the principle of the development; settlement character and landscape and visual impact; scale, design and impact of development; flood risk and drainage; access and highway safety; and ecology.

Principle of Development

The application site is located to the north west of Drigg, in open countryside outside any identified settlement boundary. Policy ST2 of the Copeland Local Plan restricts the development of housing outside of the defined settlement boundary to that which has a proven and specific local need including the provision for agricultural workers, replacement



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dwellings, replacement of residential caravans, affordable housing, and the conversion of rural buildings to residential use.

Policy DS3PU of the Emerging Local Plan continues to identify the application site as outside of any settlement boundary. Policy DS4PU of the Emerging Local Plan also restricts the development of residential dwellings outside the designated settlement boundaries to that which have a proven need.

The application seeks permission for the siting of one static caravan to provide accommodation for wardens employed by Shepherds View Holidays. Shepherds View Holidays is a well-established holiday facility providing tourism facilities within the south of the Borough. The site owners have submitted a statement of justification for this siting which references the need for assisting with general running of the site, security for facilities, and noise control and meeting the needs of guests during the day and night. The statement also notes the difficulties of employing warden staff, the proposal is thought to make this role more appealing. On this basis, the site owners have requested a long-term siting of this caravan to support the current and future site operations, however they have stated that the caravan would only need to be occupied from the 1st February to the 30th November which is their main season. An appropriately worded planning condition will be attached to any planning decision to secure the occupation of the caravan in line with these details. The Council's Environmental Health Officer has also recommended that occupation is limited by condition in line with the submitted information.

On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan, the Emerging Local Plan, and the NPPF.

Settlement Character and Landscape and Visual Impact

Policy ENV5 of the Copeland Local Plan 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 proposal which enhance the value of the Boroughs 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 proposed caravan is to be located within the centre of the holiday site. The proposed site is currently used for the siting of touring caravans and is set back from the main highway. The site is screened by existing well-established hedgerows and planting, and it is therefore considered that the proposal will not have a significant detrimental impact on the overall landscape in accordance with Policies ENV5 and DM26 of the Copeland Local Plan, Policies N6PU of the Emerging Local Plan, and the provisions of the NPPF.

Scale, Design and Impact of Development

Policy SS1 of the Copeland Local Plan seeks to make Copeland a more attractive place to build homes and to live through requiring new development to be designed and built to a high standard.

Policy DM10 of the Copeland Local Plan expects high standards of design and the fostering of quality places. It is required that development responds positively to the character of the site and the immediate and wider setting and enhance local distinctiveness. It is required that development incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.

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.

Given the proposed location of the static caravans within the centre of the holiday site, it is not considered to be located any closer to existing residential properties than the current pitches at the site. The proposed siting is therefore not considered to have a detrimental impact on residential amenity in accordance with Policies SS1 and DM10 of the Copeland Local Plan, Policies DS6PU of the Emerging Local Plan, and the provisions of the NPPF.

Flood Risk and Drainage

Policy ST1B(ii) and paragraph 163 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. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.



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The application site is located within Flood Zone 1, therefore a Flood Risk Assessment has not been submitted to support this application. The application confirms that foul water will be disposed to the existing treatment plant, and surface water will be discharged to the existing watercourse. No objections have been received on this application from the UU or the LLFA.

On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan, Emerging Local Plan and 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.

Access to the site will remain as existing from the single-track road. It is proposed that the caravan will be served by a single car parking space. The Highway Authority have offered no comments on the application. Given the existing use of the site, 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.

Ecology

Policies ST1, ENV3, and DM25 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

Policy N1PU of the Emerging Local Plan LP defines a mitigation hierarchy.

Policy N3PU of the Emerging Local Plan requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1PU above. This is in addition to any compensatory habitat provided under Policy N1PU. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

The application site is identified as a potential area for natterjack toads. The application is not supported by any ecology details as the site is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and is located within the centre of an existing holiday park. 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 minor application. Furthermore, the development will be located upon the siting of an existing touring caravan site which has already been development therefore will not disturb any

	<p>habitats.</p> <p>No objections have been received from Natural England.</p> <p>On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan, Emerging Local Plan and the NPPF.</p> <p><u>Planning Balance & Conclusion</u></p> <p>The application site is located to the north west of Drigg, in open countryside outside of any identified settlement boundary. Policy ST2 of the Copeland Local Plan, and Policy DS3PU of the Emerging Local Plan, restricts the development of housing outside of the defined settlement boundary to that which has a proven and specific local need. The application seeks permission for the siting of one static caravan to provide accommodation for a warden working at this existing holiday park site. Given the nature of the application site and the justification provided by the applicant it is considered that there is a required need at this site to allow the siting of a residential caravan in this location. Conditions will be utilised to restrict the occupancy of this caravan.</p> <p>The proposed caravan is to be located within the centre of the holiday park site, no closer to existing residential properties than the existing pitches. The site is currently utilised for the siting of touring caravans, is set back from the main road, and is well-screened by existing vegetation, therefore the proposal is not considered to have a significant adverse impact on residential amenity or the surrounding landscape. The development is also not considered to have an adverse impact on highway safety, flood risk or ecology.</p> <p>On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></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. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>



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2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
- Site Location Plan – Site Layout Plan, Scale 1:500, Dwg No: 2187/1/, received by the Local Planning Authority on the 22nd January 2024.
 - Site Plan - Static Caravan Marked Plan (Amended), Scale 1:500, Dwg No: 2187/1/, received by the Local Planning Authority on the 9th February 2024.
 - Carvan Details/Photographs, received by the Local Planning Authority on the 22nd January 2024.
 - Statement for Static Caravan, received by the Local Planning Authority on the 9th February 2024.

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.

Other Conditions:

3. The occupation of the caravan shall be limited to a person solely or mainly employed in the tourism enterprise at Shepherds View Holiday Park as a site warden and must not be occupied for any other purposes whatsoever. The caravan must only be occupied between the 1st February and the 30th November.

Reason

Permission is granted based on the justification and functional need put forward by the applicant.

Informatives:

1. In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) the applicant should liaise with the Resilience Unit office via emergency.planning@westmorlandandfurness.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.
2. A PROW bridleway 405010 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

	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 : 11.03.2024
Authorising Officer: N.J. Hayhurst	Date : 18/03/2024
Dedicated responses to:- N/A	