

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2379/0F1
2.	Proposed Development:	PLACEMENT OF A CAMPING POD FOR HOLIDAY ACCOMODATION ON AN AGRICULTURAL GRAZING FIELD
3.	Location:	STONEYWATH, KIRKLAND
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change
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 This application relates to the farm known as Stoneywath, located to the south east of Kirkland. The site is surrounded by agricultural fields and accessed from a minor road that adjoins the road to Kirkland to the west. Stoneywath is Grade II Listed and situated to the west of the site. The listing for the building states the following: NY 02 SE LAMPLUGH 3/60 Stoneywath farmhouse	

II

House, early C18 with later additions and alterations. Original house front incised stucco with end pilaster and cornice; scullery, added to left pebble-dashed with cornice extended. Roof hipped to east end; graduated slate to front pitch, C20 concrete tiles to rear. House chimneys rendered, scullery chimney brick. 2 storeys. Original house 3 bays, symmetrical: central part-glazed door in pedimented architrave has sash, with glazing bars, in architrave to either side and 3 above; all architraves shouldered. Single bay scullery has C20 part-glazed door in stone surround. Interior: Some early C18 2-panelled doors and other later, 6-panelled. Stone dog-leg stair added at rear has closed string with turned balusters and newels and moulded handrail.

Listing NGR: NY0798317328

Relevant Planning History

Listed Building Consent for the replacement of windows and doors, approved in September 2015 (application reference 4/15/2342/OL1 relates).

Proposal

This application seeks planning permission for the siting of a single camping pod within an existing agricultural field to the east of the existing farm unit.

The proposed pod will be located within the centre of the site and will be orientated in a south westerly direction. The oval shaped pod will measure 6m x 3.1m, with an overall height of 2.7m. The pod will incorporate a bathroom and a living space which will include a sofa, bed, and small kitchen area. The pod will benefit from a window/door opening within the end elevation which will open out onto a decking area measuring 0.6m x 3.1m.

The pod will sit on a 6.6m hardcore pitch base. It will be constructed from curved solid timber fascia boards with Decra Oberon roof tiles.

The proposed glamping pod will be accessed using the existing access to the farm with parking excluded from the field and access from the farm to the pod by foot. Car parking is available within the existing farmyard.

It is proposed that the site will be drained via directly to the field – the pod does not include any gutters or downpipes. Foul water will be drained to the existing septic tank located adjacent to the main house.

Consultation Responses

Lamplugh Parish Council



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No response received within the consultation period.

Conservation and Design Officer

Description: The site is a field just to the east of the grade II listed Stoneywath Farmhouse.

Conclusion: No objection

Assessment:

- The proposal is for a small camping pod of typical design.
- There is no direct impact on the heritage assets of the farmstead.
- There will be some impact on the setting of these assets, and the landscape around the farmstead.
- I would view this as negligible, and justified on the basis that diversifying the farm's economy will improve its long-term. It is also mitigated through being easily reversible, and due to the pod's modest appearance, sympathetic material palette, and the lack of intrusive landscaping proposed.

Highways and Local Lead Flood Authority

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.

The LLFA surface water maps show that the site is very close to an area of flooding and indicates a 1 in 30 chance of flooding occurring close to the site each year.

Note:- The development site is close to an ordinary water course, please see note below:

The applicant should contact us for any of the works which may affect the ordinary watercourse for information and guidance. Contact: LFRM Consent

LFRM.consent@cumbria.gov.uk.

Natural England

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.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to four properties.

Five letters of support have been received in response to this consultation.

Planning Policy

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 2021-2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this application are as follows:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Strategic Policy E1: Economic Growth

Strategic Policy E2: Location of Employment

Strategic Policy T1: Tourism Development

Policy T3: Caravan and Camping Sites for short-term letting

Policy SC5: Community and Cultural Facilities

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity



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Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy N6: Landscape Protection

Strategic Policy CO4: Sustainable Travel

Policy CO7: Parking Standards

Strategic Policy BE1 – Heritage Assets

Policy BE2 – Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Design Guide (NDG)

Cumbria Development Design Guide (CDG)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

Assessment

The key issues raised by this application relate to the principle of the development; creation of a tourism facility, landscape impact and visual impact; design and impact on neighbouring properties; access, parking and highway safety; drainage; effect on the heritage asset and ecology and biodiversity net gain.

Principle of Development

Policies DS1 and DS2 of the Copeland Local Plan seek to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy, unless there is a proven need for their countryside location. The application site lies outwith the designated settlement boundary for Kirkland. Policy DS2 allows for appropriate rural developments including farm diversification or tourism proposals which are dependent on such a location.

The proposed development would provide a small scheme of diversification for the farm and therefore the principle for developing this site for tourism accommodation is considered to be acceptable.

Creation of a Tourism Facility

Policy E1 and T1 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy through tourism. The NPPF states that planning policies and decisions should help

to 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. Paragraph 83 adds that planning policies and decisions should recognise and address the specific locational requirements of different sectors. It is considered that farm diversification is important in order that agriculture is able to continue profitably.

The Copeland Local Plan seeks to maximise the potential of tourism in the Borough and will seek to expand tourism outside of the Lake District National Park boundaries to take pressure off the National Park's busiest locations and deliver economic benefit in the Borough. The NPPF also states that planning policies and decisions should enable the sustainable growth and expansion of all types of businesses in rural area both through conversion of existing and well-designed new buildings, and sustainable rural tourism developments which respect the character of the countryside.

During the pre-application process, it was requested that the Applicant consider the conversion of an existing building within the existing farm unit, before the addition of a new building was considered. The Applicant has stated that the existing range of outbuildings are essential to support the ongoing agricultural operations with the farm unable to function effectively without them and the cost of conversion being considered too great to bring them to the standard required for human habitation.

The application seeks to develop this site for a single camping pod, within one of the agricultural fields attached to the farm unit. The development will expand and diversify the accommodation options close to the existing Coast to Coast route and will also help build the capacity to accommodate and attract additional visitors to the Borough. Policy T1 of the Copeland Local Plan states that proposals for new or improved visitor accommodation outside of the settlement boundary in the Borough will be supported so long as the proposal requires the location, it enhances one of Copeland's place bound assets or is for a farm diversification scheme that will provide or enhance tourist provision. Given that the camping pod will support the existing Coast to Coast route and provide diversification for the farm, the proposal is considered to comply with Policy T1.

On the basis of the above it is considered that the proposal complies with policies of the Copeland Local Plan and the NPPF.

Landscape and Visual Impact

Policy N6 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 DS4 seeks that development responds positively to the character of the site and the

immediate and wider setting and enhances local distinctiveness.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 11a: Foothills. The Key Characteristics of the land comprise: rolling, hilly or plateau farmland and moorland, occasional rocky outcrops and areas of improved grassland, unimproved heathland and extensive conifer plantations. Hills are dissected by numerous streams and minor river valleys, there is semi natural woodland in the small valleys and large areas of farmland are bounded by stone walls and hedges.

The Guidelines for development include: the protection of village fringes from unsympathetic development, the resistance of development of important open spaces such as small pastures or woods within villages. The insurance that new farm buildings are integrated into the landscape by careful siting and design and redundant modern buildings are removed, the protection of uncluttered skylines and the conservation of the rural character of the existing small road network.

The application site relates to an existing agricultural field that forms part of the agricultural unit at Stoneywath. Although the development is to be located on a slightly sloping site which is raised in comparison to the access road, the proposed pod is not considered to result in any significant adverse impact on the overall locality as the development would be unlikely to be seen from public viewpoints. Furthermore, the pod is within a field that is well screened by trees and has an existing farm gate for access. On this basis, it is considered that the impact is minimal and therefore not considered to have an adverse impact on the character of the surrounding area.

The proposal is therefore considered to comply with the policies of the Copeland Local Plan, the provisions of the NPPF and the CLCT.

Design & Impact on Neighbouring Properties

Policy DS4 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.

The application site is located within an agricultural field with the nearest residential property being located approximately 40m to the west of the site. No objections have been received to the application and the development is not considered to have an adverse impact on amenity given the separation between the proposed pod and the existing dwelling. Furthermore, the Applicant resides in the dwelling closest to the pod and therefore is able to manage any potential noise disturbances.

On the basis of the details within this application, it is considered that the development would be in accordance with both the Copeland Local Plan and the NPPF.

Access, Parking and Highway Safety

Policy CO4 of the Copeland Local Plan seeks to ensure developments accommodate traffic and access arrangements in ways that make it safe and convenient for pedestrians and

cyclists to move around. Section 9 of the NPPF requires that planning applications ensure that a safe and suitable access to the site can be achieved for all users.

Parking provision will be made available within the existing farmyard should visitors arrive by car. Direct access to the pod will be by foot.

The Highway Authority have been consulted on this application and have offered no objection to the proposal given that there is unlikely to be a material effect on the existing highway conditions. No concerns have been raised with regards to the delivery of the pod on the narrow access, therefore it does not appear there will be any obstruction to the highway as a result of the development.

On the basis of the above the proposal is considered to be compliant with the Policy CO4 of the Copeland Local Plan and the provisions of the NPPF.

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. Policies DS6 and DS7 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The site is located within Flood Zone 1, with a minimal chance of flooding. Surface water is proposed to drain as per the existing arrangement, with water naturally falling from the domed roof. Foul water will be drainage to the existing septic tank located adjacent to Stoneywath.

The LLFA raised no objections to the proposal but suggested that the Applicant contact them for any works that may affect the nearby ordinary watercourse.

The application is small in scale and the proposals outlined are considered to be acceptable in this case.

Effect on the Heritage Asset

Policies BE1 and BE2 of the LP seek to protect, conserve and where possible enhance listed buildings and their settings.

The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 16.2 requires that: *'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as listed buildings, great weight should be given to the conservation of the asset's significance;



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however, less than significant harm should be weighed against the public benefits of a development.

Information has been provided by the Applicant in respect of the heritage asset significance of the property and the impacts of the proposed development. The proposals have been fully reviewed and assessed by the Conservation Officer as part of the assessment of this application.

The heritage asset significance of the property is principally derived from its physical form/construction.

Stoneywath is a Grade II Listed building with the listing describing the historical physical features of the dwelling. The Conservation Officer considers that there is no direct impact on the heritage asset of the farmstead and although there will be some impact on the setting of the asset, this would be negligible and justified on the basis that the diversification will improve the long term viability of the farm. It is also considered that the impact is easily reversible with the removal of the pod.

Overall, the impact is considered to be slight and the overall benefits are considered to outweigh any harm.

Ecology and Biodiversity Net Gain

Policies N1, N2 and N3 of the Copeland Local Plan 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. Furthermore, all development, unless exempt should provide a minimum of 10% biodiversity net gain.

The site does not fall within an area known to contain key species of interest.

With regards to biodiversity net gain, the Applicant has provided a report from a suitably qualified person to confirm that the site is exempt from the requirements of the biodiversity net gain regulations.

The reasons cited are:

- a) The development does not impact any priority habitat (there is no evidence of any priority habitat within 500m of the site);
- b) The development does not impact more than 25m² of non-zero rated habitat
- c) The development does not impact more than 5m of linear habitat.

It is therefore considered that the development complies with policies N1, N2 and N3 of the Copeland Local Plan and NPPF.

Planning Balance and Conclusion

The application seeks to create a modest tourist facility within an existing farm in order to diversify the agricultural function and provide needed tourist accommodation close to the

	<p>existing Coast to Coast path. The Applicant has provided information to demonstrate why the existing buildings on the site cannot be utilised and therefore an additional pod is necessary. It is considered that this provision should be given great weight within the planning balance as there is a requirement for new tourist accommodation within the Copeland area and the financial security of the agricultural farm is encouraged.</p> <p>The proposal is of a scale and character appropriate to its proposed location and, although located on a slightly elevated position, it will be well screened by the existing trees and seen in context with the farm unit. This is given moderate weight within the planning balance.</p> <p>The application seeks to utilise the existing access to the site and parking area, with access to the pod by foot.</p> <p>The pod will have a negligible impact on the setting of the Grade II Listed dwelling known as Stoneywath. This impact can be easily reversed with the removal of the pod and is therefore given neutral weight within the planning balance.</p> <p>There are no outstanding issues with relation to drainage or ecology.</p> <p>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.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall 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> <ol style="list-style-type: none"> 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - <ul style="list-style-type: none"> Application form, received 5th November 2024; Site Location Plan, scale 1:2500, drawing number 2415-PL100 A, received 5th November 2024; Proposed Site Plan, scale 1:500, drawing number 2415-PL201 B, received 5th



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November 2024;

Pod Persective, drawing number MAX-01-101, received 5th November 2024;

Ground Support Layout, scale 1:25, drawing number MAX-01-102, received 5th November 2024;

Floor Plan, scale 1:25, drawing number MAX-01-103, received 5th November 2024;

Roof Plan, scale 1:25, drawing number MAX-01-104, received 5th November 2024;

Front Elevations, scale 1:25, drawing number MAX-01-105, received 5th November 2024;

Right Side Elevation, scale 1:25, drawing number MAX-01-106, received 5th November 2024;

Rear Elevation, scale 1:25, drawing number MAX-01-107, received 5th November 2024;

Left Side Elevation, scale 1:25, drawing number MAX-01-108, received 5th November 2024;

Cross Section, scale 1:25, drawing number MAX-01-109, received 5th November 2024;

Long Section, scale 1:25, drawing number MAX-01-110, received 5th November 2024;

Biodiversity Net Gain exemption report, written by Joe Blooms Ltd, received 5th November 2024;

Planning Statement, written by Wright Land and Property Ltd, received 5th November 2024;

Design, Access and Supporting Statement, received 5th November 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.

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: Sarah Papaleo	Date : 15/01/2025
Authorising Officer: N.J. Hayhurst	Date : 17/01/2025
Dedicated responses to:- N/A	