



CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2105/0F1
2.	Proposed Development:	THE COVERING OF AN EXISTING SLURRY TANK
3.	Location:	LOW THORNEY, CARLETON, EGREMONT
4.	Parish:	Haile
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	See Report.
7.	Report:	<p>Site and Location</p> <p>This application relates to Low Thorney, located to the north of Carleton. The application site is located to the North of the existing farm and lies adjacent to a number of existing agricultural buildings.</p> <p>PROPOSAL</p> <p>The application seeks consent for the erection of a new agricultural building to provide a covered slurry store for the farm.</p> <p>The building will measure 40ft wide (12.2m) x 12ft high (3.65m). It has been designed with a dual pitched roof and will be finished with wooden boarding, fibre cement roofing sheets and metal doors.</p> <p>RELEVANT PLANNING HISTORY</p>

There have been a number of applications for this site which relate to various agricultural development.

CONSULTATION RESPONSES

Haile & Wilton Parish Council

No objections.

Environmental Health

There are no objections from Environmental Health to this proposed development. Please note that covered slurry tanks can cause the build-up of noxious gases (methane, ammonia, carbon dioxide and hydrogen sulphide) in confined spaces and an appropriate risk assessment and safe system of work should be put in place, particularly for lone working.

Natural England

No comments received.

Cumberland Council Ecologist

Confirms that the development is exempt from BNG.

Public Representations

The application has been advertised by way of a site notice and neighbour notification letters issued to 2 properties. No representations have been received as a result of this consultation process.

PLANNING POLICIES

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 2021 - 2039 (LP):

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



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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 2001- 2016.

The following policies are relevant to this proposal:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2 – Settlement Boundaries

Policy DS4 – Design and Development Standards

Policy DS9: Protecting Air Quality

Policy RE1 – Agricultural Buildings

Strategic Policy N1 – Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3 – Biodiversity Net Gain

Strategic Policy N6 – Landscape Protection

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

ASSESSMENT

The key issues raised by this proposal are the principle of development, its siting, scale, design and impact on residential amenity, the landscape and visual impact, air quality and biodiversity net gain.

Principle of Development

Policy DS2 of the Copeland Local Plan supports development outside of settlements, which have a proven requirement for such location, this includes agriculture related developments. The proposal relates to an existing farmstead, and it will provide a covered slurry store to support ongoing farming works.

Policy RE1 supports new agricultural buildings subject to detailed criteria, which are set out and considered below.

On this basis, the principle of the development is acceptable, and the building satisfies Policies DS2 and RE1 of the Local Plan and the NPPF guidance.

Siting, Scale and Design

Scale and Design Policy DS4 and section 12 of the NPPF seek to promote high quality designs.

Policy RE1 states proposals for new agricultural buildings will be permitted as long as they are of appropriate scale and design and do not result in adverse visual impacts or unacceptable harm to the landscape character or the amenity of nearby residential properties.

The proposed building will measure 40ft wide (12.2m) x 12ft high (3.65m). It has been designed with a dual pitched roof and will be finished with wooden boarding, fibre cement roofing sheets and metal doors.

The scale and design of the proposed building is considered to be appropriate with regards to the existing farm buildings that are already located on site.

It will be finished with wooden boarding, fibre cement roofing sheets and metal doors.

The design of the structure and the proposed materials reflect the existing buildings and character of the farm. In addition, the use of similar materials are considered to be acceptable and appropriate for their use.

On this basis, the proposal is considered to comply with Policies DS4 and RE1 of the Local Plan.

Residential Amenity

Policy RE1 and section 12 of the NPPF seek to safeguard good levels of residential amenity.

The proposal site may be seen from the highway, however, the site is bound by agricultural fields to the North and West.

The existing farm buildings will screen the proposal when viewed from the dwelling "Isle View", located approx. 88m to the South of the proposal. The nearest residential dwelling/s which may be in view of the proposal are Carleton Farm Cottages located approx. 140m Northeast of the proposal.

Given the appropriate separation distances, it is considered that the proposal would not create unacceptable dominance or impact upon neighbouring properties.

No concerns have been raised as a result of the site notice displayed, and Environmental Health have raised no objections.

On this basis, residential amenity issues are considered to be minimal and therefore the proposal is considered to satisfy Policy RE1 and the NPPF.

Landscape and Visual Impact

Strategic Policy N6 states that landscapes will be protected and enhanced by ensuring that development proposals are assessed according to whether the proposed structures and associated landscaping relates well in terms of visual impact, scale, character, amenity value



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and local distinctiveness.

The development is considered to be suitably located within the existing farmstead, and it is to be located adjacent to existing farm buildings which will ensure that the character of the area is not eroded by development away from the traditional farmstead.

The proposed materials are in keeping with the existing buildings and therefore this will minimise the impact of the development on the surrounding landscape.

Overall, the works are not considered to have a significant impact upon the visual amenity of the site and surrounding area, or the character and appearance of the landscape.

The proposal is therefore considered to comply with Strategic Policy N6 of the Copeland Local Plan.

Air Quality

Policy DS9 seeks that development will only be granted where it does not give rise to unacceptable levels of air pollution.

The application seeks permission for the construction of a new agricultural building to provide a covered slurry store. As the slurry store is proposed to be enclosed on 3 elevations with wooden board panels, with a cement fibre roof, the slurry will be contained which will allow for the greater control of odours as opposed to the existing open slurry store.

The addition of a covered roof structure will improve waste management by reducing rainwater ingress, thereby limiting slurry volumes and minimising the risk of overflow. This contributes to more efficient storage capacity and reduces the potential for environmental pollution. Overall, the proposal enhances existing waste storage arrangements rather than introducing new waste streams.

In addition, given the large separation distances between the proposed slurry store and the nearest neighbouring properties, and the rural location of the site it is considered that the development will not give rise to unacceptable levels of air pollution.

Environmental Health raised no objections to the proposal and Natural England didn't provide any comments.

On this basis, the development is considered to comply with Policy DS9 of the Copeland Local Plan.

Biodiversity Net Gain

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy. Policy N3 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 N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on

	<p>site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference. In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however except from these BNG requirements.</p> <p>The application site comprises an existing slurry storage tank and surrounding concrete hardstanding. The site is actively used as part of an agricultural yard and is entirely composed of sealed, artificial surfaces.</p> <p>The Councils ecologist has confirmed that the proposal is exempt from BNG requirements as set out in the BNG statement which was submitted to support the application.</p> <p>On this basis, it is therefore considered that given the conditions proposed, the development will comply with Policies N1 and N3 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Planning Balance & Conclusion</u></p> <p>This application seek permission for the construction of a new agricultural building to provide a covered area to an existing slurry store to support farming works.</p> <p>The proposed development is considered to be appropriate in scale and design and given the separation distances to the closest residential property, will not have an adverse impact on residential amenity.</p> <p>The proposal is not subject to Biodiversity Net Gain.</p> <p>The proposal will not have any detrimental impacts upon the landscape and visual impact.</p> <p>The proposal is therefore considered to be an acceptable form of development which is compliant with policies of the Copeland Local Plan and the provisions of 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 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>



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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: -

- Application Form, received 31st March 2026;
- Site Location Plan, scale 1:1250, received 31st March 2026;
- Location Plan (Ariel View), scale 1:200, received 31st March 2026;
- Proposed Elevations, scale 1:100, received 31st March 2026;
- Proposed Elevations, scale 1:100, received 31st March 2026;
- Supporting Photographs & Drawings, received 31st March 2026;
- BNG Statement, received 31st March 2026;

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.

Informative Notes

Biodiversity Net Gain – Exemption Applies

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemption: De Minimis

SSAFO Regulations

The proposed development must fully comply with the terms of the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA).

The applicant is advised to consider both the proposed development and existing on farm slurry and manure storage to ensure compliance with the regulations (SSAFO, FRfW, EPR, NVZ). As a condition of SSAFO, the applicant must notify the Environment Agency of a new,

reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction.

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: Demi Crawford

Date : 22/05/2026

Authorising Officer: N.J. Hayhurst

Date : 26/05/2026

Dedicated responses to:- N/A