

Planning Statement – Land at Acrewalls, Frizington, Cumbria

Proposal: Outline Planning Application for the erection of one dwelling



Mr N & D Gill – Gill Brothers Builders

August 2021

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1.0 Introduction

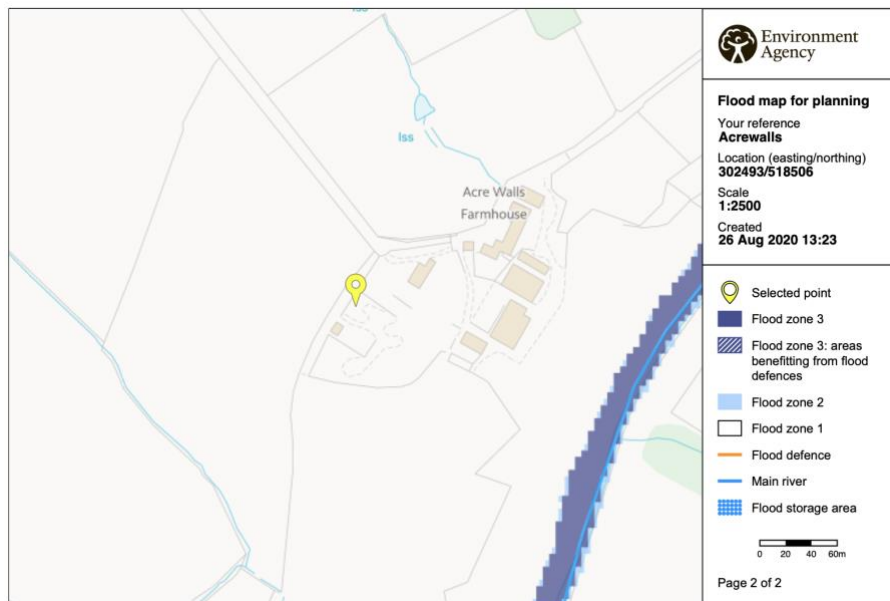
- 1.1 This planning statement has been prepared on behalf of the applicant in support of a planning application for a residential dwelling on land adjacent to Acrewalls, Frizington.
- 1.2 The application is submitted in outline, covering matters relating to the principle of the development. The purpose of this statement is to set out the planning case in support of the development of the site, and it should be read in conjunction with the plans submitted.
- 1.3 Section 2 of this Statement will set out the site's context, Section 3 covers the proposed development, Section 4 relates to the planning history of the site and surroundings, Section 5 will set out the planning policy context against which the application must be considered and undertakes a planning assessment of the proposed development and section 6 will draw together the conclusions.

2.0 The Site

- 2.1 The application related to an area of within Acrewalls extending to 0.9 hectares which lies to the north of Frizington. The development adjoins the access track to the north, the curtilage of Acrewalls House to the east, Gill Brothers building yard to the west and agricultural land to the south. Further to the east within the group of buildings is Acrewalls Farm (not within the applicants' ownership) which consists of a range of modern and traditional agricultural building and a farmhouse, which farms the surrounding land.
- 2.2 The site is currently in use as part of the land used by Gill Bros, for their building business. The company is 42 years old and has been based at Acrewalls for the last 30 years. The site consists of a yard/compound area, with all company vehicles and all construction equipment kept on the site, while not in use. Acrewalls is the daily meeting point for all employees of the business and the office is also based on site.
- 2.3 The business has been successfully run by Neville Gill (who resides in Acrewalls) and Ashley Gill for a number of years. However, Ashley Gill has now retired from the business, and Neville's son Dominic is now taking control of the business with the assistance of his father. Over the next 5-year period, with a successful transition in place, Neville will be looking to semi-retire from Gill Brothers, while being available to help with the business when necessary.
- 2.4 The only neighbour to the site is Mr W Ireland, who is the farmer from Acrewalls Farm, who has also lived in this location for over 30 years. Because of the close nature of the properties, various maintenance tasks around the farmland and buildings are shared, which includes maintaining driveways, fences, walling, drains and water supplies. Attached to this statement is a letter from Mr Ireland, stating that he has no objections to the proposed development of a new dwelling for Dominic, and would actually welcome this for security reasons due to the isolated nature of the Acrewalls group of buildings.
- 2.5 There are no Conservation Areas, Listed Buildings or Tree Preservation Order's on or directly adjacent to the site.



2.6 The site is located in an area that the Environment Agency Flood Map for Planning has noted as Flood Zone 1, and as such have a low probability of flooding. A copy of the Environment Agency’s Flood Map is included below. It is approximately 200m to the north east of Dub Beck.



3.0 The Proposed Development

3.1 The application is an outline planning application and all details regarding access, scale, layout, landscaping and appearance of the residential development proposed on the site would be covered within a subsequent reserved matters application, if this outline is approved.

3.2 While access is not a matter forming part of the application at this stage, the proposed dwelling would utilise the access from the unclassified road between Moresby and Arlecdon

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which currently serves the 2 existing dwellings at Acrewalls and also all of the adjacent agricultural operations.

- 3.3 Again while not forming part of the application at this stage, the proposed scale of the development is a single dwelling on the site, which is all the site would be suitable for given the size and layout.
- 3.4 The layout of the proposed development would likely take a similar rear build line to the adjacent dwelling Acrewalls, having front and rear elevation to the north and south elevations, with garden land to the south and access, parking and turning area to the north.
- 3.5 The property will have a minimum of three in curtilage parking spaces, although plot could accommodate more parking for cars. The dwellings in the existing group of buildings are both two storey detached dwellings.
- 3.6 The application site is considered well related to the existing group of buildings, and actually was a walled garden to Acrewalls House, some of the features of which are still visible. It is the applicant's intention to rebuild to its former glory with local natural sandstone and reinstate the Orchard to replicate how it may have looked over 200 years ago when the House was built in 1810.

4.0 Planning history

- 4.1 4/91/0029/0 – Double garage and store – approved
- 4.2 There are no more current planning history directly on the application site.

5.0 Planning Policy and its application to the proposed development

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The Local Development Plan consists of policies within the Core Strategy and Development Management Policies DPD (December 2013). The policies in the following paragraphs are considered relevant to the proposed development.
- 5.3 The Local Plan sets out a long-term spatial vision and strategic objectives to support Copeland's vision which is "Working to improve lives, communities and the prosperity of Copeland". Although it was adopted before the updated NPPF (2019) it was adopted after the first NPPF that was published in March 2012 and therefore closely follows the principles of sustainable development, as defined by national policy and delivering sustainable housing in accordance with that policy.
- 5.4 As of the 9th May 2017, Copeland Borough Council announced that it cannot demonstrate a five-year supply of housing sites, with a supply of 2.3 years. Policies for the supply of housing set out within the Copeland Local Plan 2013 – 2028 (Core Strategy and Development Management Policies) will no longer be deemed up-to-date; and these policies carry less than full weight in decision-making. As an update to this, in the decision to Planning Appeal Ref:, the Planning Inspector stated that Copeland could at this point demonstrate a 3.2 year

supply of housing sites, and therefore there is still not a five-year land supply in place and as such the Local Plan Policies continue to carry less weight. For reasons of clarity however, the Planning Policy section of this document included Policy text from the National Planning Policy Framework (NPPF as amended 2019), Copeland Local Plan, and the Copeland Borough Council Interim Housing Policy, which was created following the May 2017 statement regarding land supply, but is guidance and not an adopted Local Plan document.

Strategic Policies

5.5 **Policy ST2** of the core strategy states that the Council will aim to

'Restricting development outside the defined settlement boundaries to that which has a proven requirement for such a location, including:

i) Energy - nuclear: support for the development of new nuclear generating capacity at Moorside, and a willingness to discuss a potential Geological Disposal Facility for higher level radioactive waste in the Borough

ii) Energy - renewable: support for renewable energy generating proposals which best maximise renewable resources and which minimise environmental and amenity impacts

iii) Essential infrastructure to support energy development and other infrastructure that requires locating outside settlement limits

iv) Existing major employment locations, especially Westlakes Science and Technology Park, and the completion of defined allocated or safeguarded employment sites

v) Land uses characteristically located outside settlements, such as agriculture or forestry, farm diversification schemes or tourism activities requiring location in the countryside, or prisons

vi) Housing that meets proven specific and local needs including provision for agricultural workers, replacement dwellings, replacement of residential caravans, affordable housing and the conversion of rural buildings to residential use.'

5.6 It is considered that the nature of this policy is generally linked to the aims and wording of paragraphs 83 and 84 of the National Planning Policy Framework, as detailed in later sections of this statement. However, it is contended that the proposed development of a single dwelling on the site is in accordance with section vi of the above.

5.7 Policy SS2 relating to Sustainable Housing Growth, states:

'House building to meet the needs of the community and to accommodate growth will be provided for by:

.....

D Seeking to achieve 50% of new housing development on previously developed 'brownfield' sites.'

5.8 The proposed development of a dwelling on this site supports the aims of Policy SS2, given that the site is a brownfield site.

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- 5.9 **Policy ENV1** sets out an approach to ensure that new build development is not prejudiced by flood risk, by permitting new build on sites outside areas at risk of flooding and ensuring that new development does not contribute to increased surface water run-off through measures such as Sustainable Drainage Systems.
- 5.10 The proposed development is located within Flood Zone 1 which the Environment Agency (EA) define as an area having less than 0.1% annual risk of flooding and is therefore at the lowest risk of flooding. The site is therefore considered to be a low risk in terms of flooding.
- 5.11 **Policy ENV5** relates to the protection and enhancement of the Boroughs landscapes. It seeks to ensure that landscapes are protected from inappropriate change through unsympathetic development.
- 5.12 It is considered that the proposed development, being of small scale and adjoining an existing cluster of buildings, is not an inappropriate change to the landscape.

Development Management Policies

Design

- 5.13 **Policy DM10** states the Council will expect high standard of design and the fostering of 'quality places' and development proposals will be required to: -
- Respond positively to the character of the site and the immediate and wider setting and enhance local distinctiveness through an appropriate size and arrangement of development plots, the appropriate scale and massing of houses;
 - Incorporate existing features of interest including local vernacular styles and building materials;
 - Address vulnerability to and fear of crime and anti-social behaviour by ensuring that the design, location and layout of all new development creates clear distinctions between public and private spaces, overlooked routes and spaces within and on the edges of development;
 - Create and maintain reasonable standards of general amenity.
- 5.14 It is considered that the above principles have been taken into account in the design and layout of the proposed development. The proposed dwelling on the indicative layout is considered appropriate in form, design and size, and also the size is laid out at an appropriate scale for the site and context of the adjacent dwellings. Further details regarding the exact nature of the property would be addressed through a reserved matters planning application, but it is confirmed at this stage that the applicants would want to construct a single storey dwelling.

Residential Amenity

- 5.15 **Policy DM12** requires new build residential properties to have: -
- a separation distance of at least 21 metres between directly facing elevations of dwellings containing windows of habitable rooms
 - a separation of at least 12 metres between directly facing elevations of dwellings containing windows of habitable rooms and a gable or windowless elevation

- 5.16 While only submitted in outline, the indicative layout confirms that the proposed dwelling would as detailed meet all of the above separation distances in relation to the two dwellings already at Acrewalls.

Drainage and Flood Risk

- 5.17 **Policy DM24** states where a proposed development is likely to be at risk from flooding or increases risk of flooding elsewhere, a Flood Risk Assessment (FRA) will be required to be submitted as part of the planning application. Development will not be permitted where it is found that there is an unacceptable risk of flooding; or the development would increase the risk of flooding elsewhere.

- 5.18 The development area is located within a Flood Zone 1 in which the NPPF recognises that all uses types are therefore appropriate.

Access and Transport

- 5.19 **Policy DM12** requires housing development to provide a car parking provision in accordance with adopted residential parking standards. Cumbria Highways have provided a Cumbria Development Design Guide but there are no adopted parking standards. The guidance provides a suggested level of parking for housing development.

- 5.20 The size of the proposed site could accommodate sufficient parking for a single dwelling. It is therefore considered that any proposed layout can meet this criterion of Policy DM12.

Principle – National Planning Policy Framework (“NPPF”) (as revised July 2021)

- 5.21 The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF states that sustainable development has three objectives social, economic and environmental.

- 5.22 The social and economic are as follows:

“a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being. “

It is noted in the above that a central aim of the NPPF is to ensure that the right type of land is available in the right areas, to ensure that the correct housing is available to meet the needs of present generations.

- 5.23 Paragraph 11 covers the issue of the application of the presumption in favour of sustainable development.

“For decision-taking this means:

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Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 5.24 Paragraph 62 states that *“Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”*
- 5.25 Paragraph 78 states that *‘In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.’*
- 5.26 Paragraph 80 states that *‘planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
 - d) the development would involve the subdivision of an existing residential dwelling; or*
 - e) the design is of exceptional quality, in that it:*
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*
- 5.27 In the context of the above, criterion a) is the circumstances that exactly apply to this planning submission. As previously stated in this document, the dwelling proposed is specifically for Dominic Gill and his family. His parents reside in the existing dwelling at Acrewalls and run the Gill Brothers building business from this location, as they have done for many years. Over the next few years, Dominic will be taking the majority control of the business, at which point there is an essential need for him to live permanently at his place of work which is in this countryside location. This is the base for the business and, as such Dominic needs to be based on the site.
- 5.28 In the section of the NPPF titled supporting a prosperous economy, paragraph 84 states:
- ‘Planning policies and decisions should enable:*

- a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) *the development and diversification of agricultural and other land-based rural businesses;*
- c) *sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'*

- 5.29 In the context of the above, as previously mentioned, Gill Brothers has been based at Acrewalls for over 30 years. This has been the case, and a successful point of the business because of the nature of Copeland as a predominantly rural Borough. Many of their recent projects have been carried out for clients based in the rural community more local to Acrewalls, for example works at Kinniside, Cold Fell x 2, Eskdale Green, Loweswater x 2, Ennerdale, Asby, Gosforth x 6, Ravenglass, Wasdale & Eskdale Mountain Rescue Centre, Lamplugh and Dean. An extended list of projects is included in this submission as appendix 1. Their current workforce also reflects this point; 3 are local to the Arlecdon/Frizington area, and Dominic currently resides in Whitehaven and has the longest current travel to work of any employee. The business did have a base in Whitehaven during early years and relocated to Acrewalls for a number of reasons, also including security. The yard at the time was subject to break-in, and given the value of equipment, vehicles and materials on site it was considered more appropriate to have the base adjacent to a residential property.
- 5.30 Paragraph 85 states that *'planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.'*
- 5.31 As detailed above, a significant amount of time ago, Acrewalls was considered the best location to run the Gill Brothers business from. This has proved to be a correct decision given that it is a long-term successful business, while not be located within one of the existing settlements of the Copeland Local Plan. For the business to now prepare for the future and grow further, an additional dwelling at the Acrewalls site is required. Given that the dwelling is specific in its use to Gill Brothers/Mr Dominic Gill, the applicants would be willing to accept any condition relating to limiting the occupancy to such a use given the location outside of the defined Copeland settlement limits.
- 5.32 Ultimately when assessing the proposal there is a need to balance any harm caused by the proposed development with the necessary need for the proposed dwelling in this particular instance. The case put forward demonstrates how the proposal meets the policies of the Local Plan, and in particular the aims and text of the National Planning Policy Framework.
- 6.0 Conclusion**
- 6.1 The proposed development provides the opportunity to continue the progression and growth of this long-term rural based business.

- 6.2 The dwelling specially proposed will be for Dominic Gill and his family, who will be taking over the family business in the next few years.
- 6.3 The proposed development has been sensitively located to take into account the site characteristics, surroundings, wider location and separation distances.
- 6.4 It is considered that any impact outside of the site is minimal, and the proposed dwelling has demonstrable support from the adjacent neighbour at Acrewalls.
- 6.5 It is contended therefore that the proposed development is acceptable and is in accordance with both national and local planning policy, and therefore should be approved.

Simon Blacker MRTPI

Appendix A:

Gill Brothers Construction Project List in Rural Areas

Date	Location	Description
1988	Loweswater	Kirkstile Inn – Renovations and Construction of Staff accommodation and additional Hotel bedrooms.
1992	Loweswater	Watergate Barn – Rebuild dilapidated barn and Farmhouse renovations.
1990	Ravenglass	Renovation and large extension of a 250 year old country home near Muncaster Mill Station (Little Ratty)
1993	Gosforth	Wasdale/Eskdale Mountain Rescue – New depot constructed from barn renovation
1999	Miterdale	Extensive flood damage repairs work to an existing home
1994	Calderbridge	Stanley Arms Hotel – developed new sandstone kitchen, storage and bedrooms extension
1989	Ennerdale	Cragg House Farm –Renovation of Farmhouse including new slate roof
1994	Cold Fell	Standing Stones Farm- Farmhouse repairs and large extension
1996,2006,2017 (Three separate Projects)	Cold Fell	Whitebanks Farm- Rebuild barn 1,barn 2 full conversion, barn 3 replace all roof timbers and roof slating
2018	Kinniside	Swinside End – Farm house renovation & structural barn repairs
2018	Ennerdale Bridge	Extensive flood damage repairs to 200 year old property
2000	Wellington, Gosforth	New Bungalow Construction in Riverside setting
2014	Harding gill, Gosforth	Full renovation and extension of 120-year-old property.

2015	Meadowfield, Gosforth	Full Bungalow renovation
2019	Gosforth	Full K Rend application to exterior
1982	Lamplugh	New dwelling constructed for Farmer
2001	Chestnut Hill, Castlerigg, Keswick	Full House renovation for Keswick Mountain Rescue Team Manager
2005	Kirkland	Flood damage repairs to Family Farmhouse
2019	Portinscale	Renovation and new Kitchen extension
2019/2020	Giggle Alley, Eskdale Green	Gardener's Cottage – Total renovation and extensions
2019	Asby	Extensive Flood damage repairs
1988	Ullock	Barn Conversion
1995	Ennerdale Village	Extension and Construction of Stables
2007, 2010,2017 (Three separate Projects)	Routensyke Farm, Steel Brow, Rowrah	New Kitchen and damp proofing work, Replace barn doors and floor. Repointing work on barn and drive repairs.
2015	Greysouthen	Extensive Fire Damage Repair Project
2000	Rawfoot Farm, Dent Fell	Barn conversion and full Farmhouse renovation

Appendix B:

Letter from Mr W Ireland in support of planning application

Mr W Ireland
Acrewalls Farm
Arlecdon
Cumbria
CA26 3UW

12th August 2020

To whom it may concern,

RE: Planning permission on land adjacent to Acrewalls House, Arlecdon within the existing boundary

I have lived at Acrewalls Farm for over 30 years and had Neville Gill of Gill Brothers Builders and his Family as my neighbours for the same period of time.

Neville and I have always had a great neighbourly attitude towards each other and a mutual interest in maintaining the access lanes, ancient drainage and water service to our respective properties. Furthermore and most importantly, we jointly monitor the security of the surrounding areas to our land and properties.

In recent discussions with Neville with regards to the possibility of his Son Dominic building a new dwelling at Acrewalls, I would welcome this and have no objections to the proposed development.

As we are both getting older, it would be very reassuring to have a younger person around and an additional pair of eyes to assist Neville and myself in providing the security that many Farms in isolated/remote areas require these days.

Yours faithfully

Mr W Ireland