

SCHEDULE A: Applications with Recommendation

18/0587

Item No: 04

Date of Committee: 07/06/2019

Appn Ref No:
18/0587

Applicant:
Mr D Blunt

Parish:
Dalston

Agent:

Ward:
Dalston & Burgh

Location: Field adjacent Low Mill Barn, Low Mill, Dalston, Carlisle, CA5 7JU

Proposal: Erection Of Agricultural Machinery/Storage And Livestock Building (Part Retrospective)

Date of Receipt:
06/08/2018

Statutory Expiry Date
01/10/2018

26 Week Determination
31/05/2019

REPORT

Case Officer: Barbara Percival

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Principle of development
- 2.2 Whether the scale, form and siting of the building is acceptable
- 2.3 Impact of the proposal on the living conditions of occupiers of neighbouring properties
- 2.4 Impact of the proposal on the floodplain
- 2.5 Proposed method for the disposal of surface water drainage
- 2.6 Impact of the proposal on highway safety
- 2.7 Impact of the proposal on biodiversity
- 2.8 Other matters

3. Application Details

The Site

- 3.1 The application site is located to the west of a barn conversion, known as Low Mill Barn, located in a small hamlet to the north west of Nestle Factory,

Dalston. Access to the hamlet is via a side road off the main Dalston to Carlisle road across an unmanned railway crossing.

The Proposal

- 3.2 The application seeks full planning permission for the erection of an agricultural machinery/storage and livestock building. The submitted drawings illustrate that the building would be 12.154 metres long by 12 metres wide with a maximum height of 4.150 metres. The proposed building would be clad in green metal profile sheets.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of the occupiers of nine neighbouring properties and the posting of a Site Notice. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections subject to informatives to ensure that: public footpath number 114050 is not obstructed during or after completion of the development; and advising the applicant to contact Cumbria County Council's Flood Risk Management Team to ascertain if permission is required under its legislation in respect of connection/work involving the adjacent watercourse;

Dalston Parish Council: - requests a site visit be undertaken due to concerns regarding effluent disposal;

United Utilities: - following receipt of revised drawing, UU do not require additional information with regards to the rising main; however, request the imposition of a condition to ensure that surface water drainage is completed in accordance with the submitted drawing;

Environment Agency: - no objections subject to imposition of a condition ensuring the building is for agricultural use only.

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) together with Policies SP6, EC12, CC4, CC5, CM5, GI1 and GI3 of the Carlisle District Local Plan 2015-2030. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) is also a material planning consideration.

6.3 The proposal raises the following planning issues:

1. Principle Of Development

- 6.4 Policy EC12 of the local plan outlines that proposals for new agricultural buildings and structures will be permitted provided that: the building is sited where practical to integrate with existing agricultural buildings and/or take advantage of the contours of the land and any natural screening; the scale and form of the proposed structure relates to an existing group of buildings unless otherwise justified; the design and materials used reflect the overall character of the area; and the proposal would not have an unacceptable impact on any adjacent land uses.
- 6.5 The proposal is for the erection of an agricultural machinery/storage and livestock building to the west of Low Mill Barn within the hamlet of Low Mill. A representative for the applicant, who resides in the adjacent Low Mill Barn, has explained that the proposed use of the building is for the storage of a tractor, trailer, pick-up truck and numerous hand tools. It is also the applicant's intention to purchase ewes in lamb over the autumn, therefore, the proposed building would also house lambing pens and fodder storage areas.
- 6.6 Although the field subject of this application is unrelated to an existing farm steading it is immediately adjacent to the applicant's dwelling. Furthermore, it is evident from the applicant's supporting statement that the proposed building is intended to be used for agricultural machinery/storage and livestock. The applicant has provided sufficient justification for the erection of an agricultural building in a field currently used for agricultural purposes. Other issues arising from the proposal will be discussed in more detail below.

2. Whether The Scale, Form and Siting Of The Building Is Acceptable

- 6.7 As previously outlined in paragraph 6.4 above, Policy EC12 of the local plan requires that agricultural buildings and other farm structures relating to agricultural development are sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening. This aim is reiterated in Policy GI1 of the local plan which seeks to ensure that proposals for development in the rural area conserve and enhance the special features and diversity of the different landscape character areas. Development proposals are expected to incorporate high standards of design including regard to siting, scale and landscaping which respect and, where possible, should enhance the distinctive character of the landscape.
- 6.8 The Cumbria Landscape Character Guidance and Toolkit (March 2001) identifies that the site falls within the Cumbria Landscape Character Sub-Type 5b 'Low Farmland'. The toolkit advises that key characteristics of this landscape are: undulating and rolling topography; intensely farmed agricultural pasture dominates; patchy areas of woodland provide contrast to the pasture; woodland is uncommon west towards the coast; fields are large and rectangular; hedges, hedgerow trees and fences bound fields and criss

cross up and over the rolling landscape. Guidelines for development such as farm buildings is to reduce the impact of new farm buildings by locating them in non-prominent locations.

- 6.9 When assessing the application against the foregoing, the building would be sited in an agricultural field adjacent to the applicant's dwelling, Low Mill Barn. Any perceived visual impact from public viewpoints would be mitigated as it would be partially obscured from public viewpoints by a grassed bund. Furthermore, it would also be viewed in the context of other buildings within Low Mill, many of which are large former mill buildings, albeit now in residential use.
- 6.10 The scale of the proposed agricultural building is commensurate to the size of the field in which it is located. The design and proposed materials for the building is typical to other agricultural buildings within the area and would not result in a visually discordant feature within the area. In overall terms the scale, form and siting of the building is deemed acceptable.

3. Impact Of The Proposal On The Living Conditions Of The Occupiers Of Neighbouring Properties

- 6.11 The proposed building would be located over 40 metres from the nearest dwellings not in the ownership/control of the applicant. Given the position of the proposed building within the rural area and in relation to neighbouring residential properties, the proposal will not have a detrimental impact on the living conditions of adjoining occupiers on the basis of loss of light, over dominance or unacceptable nuisance arising from unacceptable levels of noise or odour. To ensure inappropriate use of the building and to further protect the living conditions of residential properties a condition is recommended restricting the use of the building to agricultural purposes only. Should any noise or odour issues arise in the future this would be dealt with under Environmental Health legislation.

4. Impact Of The Proposal On The Floodplain

- 6.12 The application site is located within Flood Zones 2 and 3 of the Environment Agency's Flood Map and was accompanied by a Flood Risk Assessment. The Environment Agency (EA) has been consulted and raise no objection as it classes the proposed development as non-habitable agricultural development in Flood Zones 2/3, therefore, is identified as less vulnerable development in relation to the PPG and Table 2: Flood Risk Vulnerability Classification. The EA does however; recommend the imposition of a condition ensuring that the building is for agricultural use only.

5. Proposed Method For The Disposal Of Surface Water Drainage

- 6.13 There is a clear policy requirement to provide adequate provision for surface water facilities to ensure that sufficient capacity exists prior to commencement of any development. The submitted drawings illustrate surface water from the building would be connected to an existing surface water drain. Cumbria County Council, as Lead Local Flood Authority, and

United Utilities have been consulted. The Lead Local Flood Authority raise no objection subject to the imposition of an informative. The informative would be included within the decision notice, should Members approve the application, drawing the applicants attention to the need to comply with legislation enforced by the Lead Local Flood Authority.

- 6.14 United Utilities, following receipt of revised drawings illustrating the relocation of the proposed building, also raise no objections to the proposal subject to the imposition of a condition. This condition would ensure that the surface water drainage does not drain directly or indirectly into the public sewer.

6. Impact Of The Proposal On Highway Safety

- 6.15 Access to the proposed development would utilise an existing access. Cumbria County Council, as Highway Authority, has been consulted and raise no objections subject to the imposition of an informative which would ensure that the adjacent public rights of way remain unaffected during and after completion of the development.

7. Impact Of The Proposal On Biodiversity

- 6.16 The Councils GIS Layer has identified that the site has the potential for several key species to be present. As the proposed development would be located on an area currently used for agricultural purposes, the development would not harm a protected species or their habitat. However, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the local planning authority informed.

8. Other Matters

- 6.17 The Parish Council has raised concerns in respect of the disposal of effluent from the building. This issue has been raised with the applicant who has advised that the disposal of bedding from any livestock housed within the building would be that of standard agricultural practices i.e. stored then dispersed over adjacent land.

Conclusion

- 6.18 In conclusion, the principle of the development is acceptable and the proposal is of a scale and design which is suitable in relation to the surrounding landscape. Given the positioning of the agricultural building in relation to residential properties, the proposal would not be overbearing or create an adverse impact upon existing living conditions.
- 6.19 In overall terms, it is held that the proposal does not conflict with current policies of the Development Plan, therefore, it is recommended that the application be approved.

7. Planning History

7.1 There is no relevant planning history.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

1. the submitted planning application form received 27th July 2018;
2. the Flood Risk Assessment received 12th July 2018;
3. the Elevations/Floors/Sec/Notes received 5th April 2019 (Drawing No. 027-30/PR SL;-BP-EL-FL);
4. the Notice of Decision; and
5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

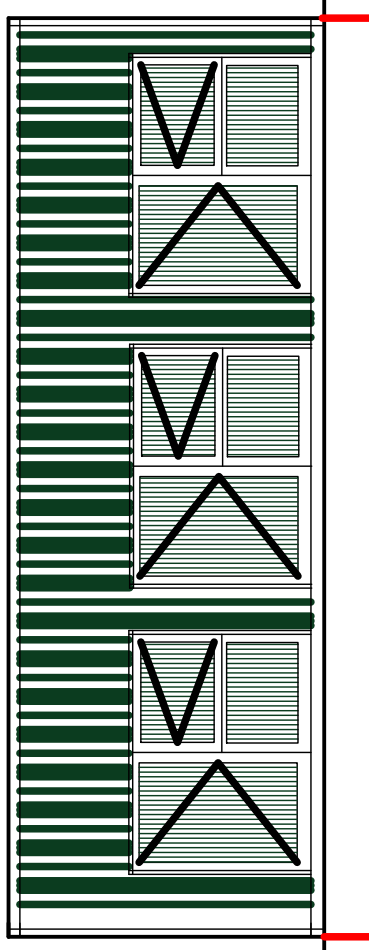
Reason: To define the permission.

3. The drainage for the development hereby approved shall be carried out in accordance with the principles set out in the submitted plan of Elevations/Floors/Sec/Notes ref: 027-30/PR SL-BP-EL-FL Revision E received 5th April 2019 proposing surface water discharging into watercourse. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

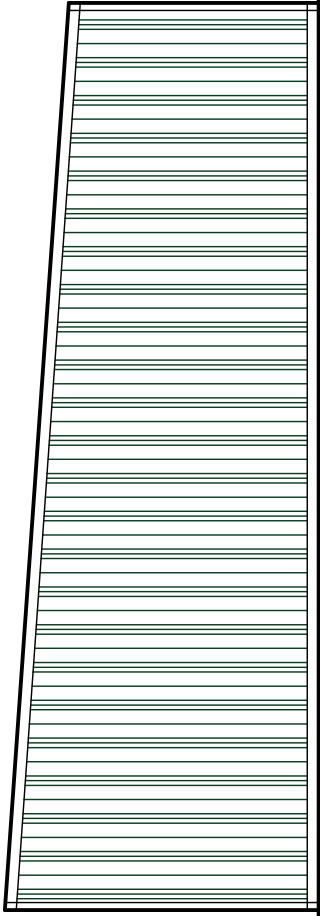
Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policies CC4 and CC5 of the Carlisle District Local Plan 2015-2030.

4. The building hereby permitted shall only be used for agricultural purposes as defined by Section 336 of the Town & Country Planning Act 1990 and for no other purpose without the prior permission of the local planning authority.

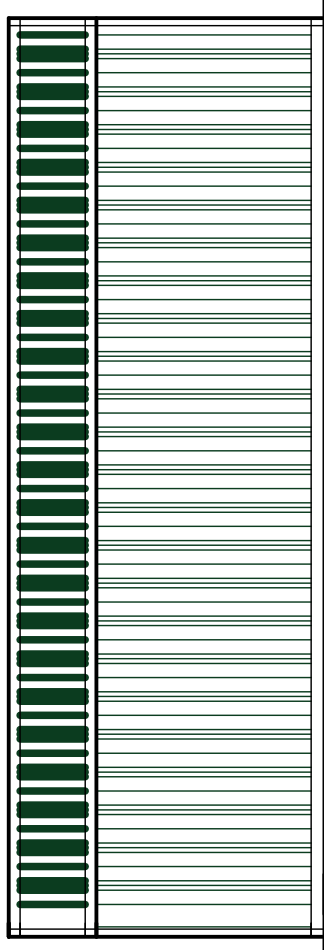
Reason: To ensure that said building is used only for agricultural purposes in the interests of the amenity of local residents and in accordance with Policies SP6, EC12 and CM5 of the Carlisle District Local Plan 2015-2030.



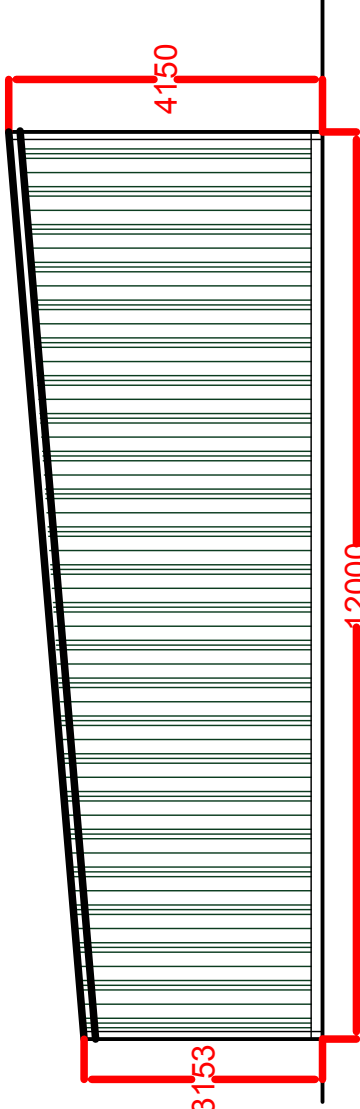
Proposed North East Elevation
Scale 1:100



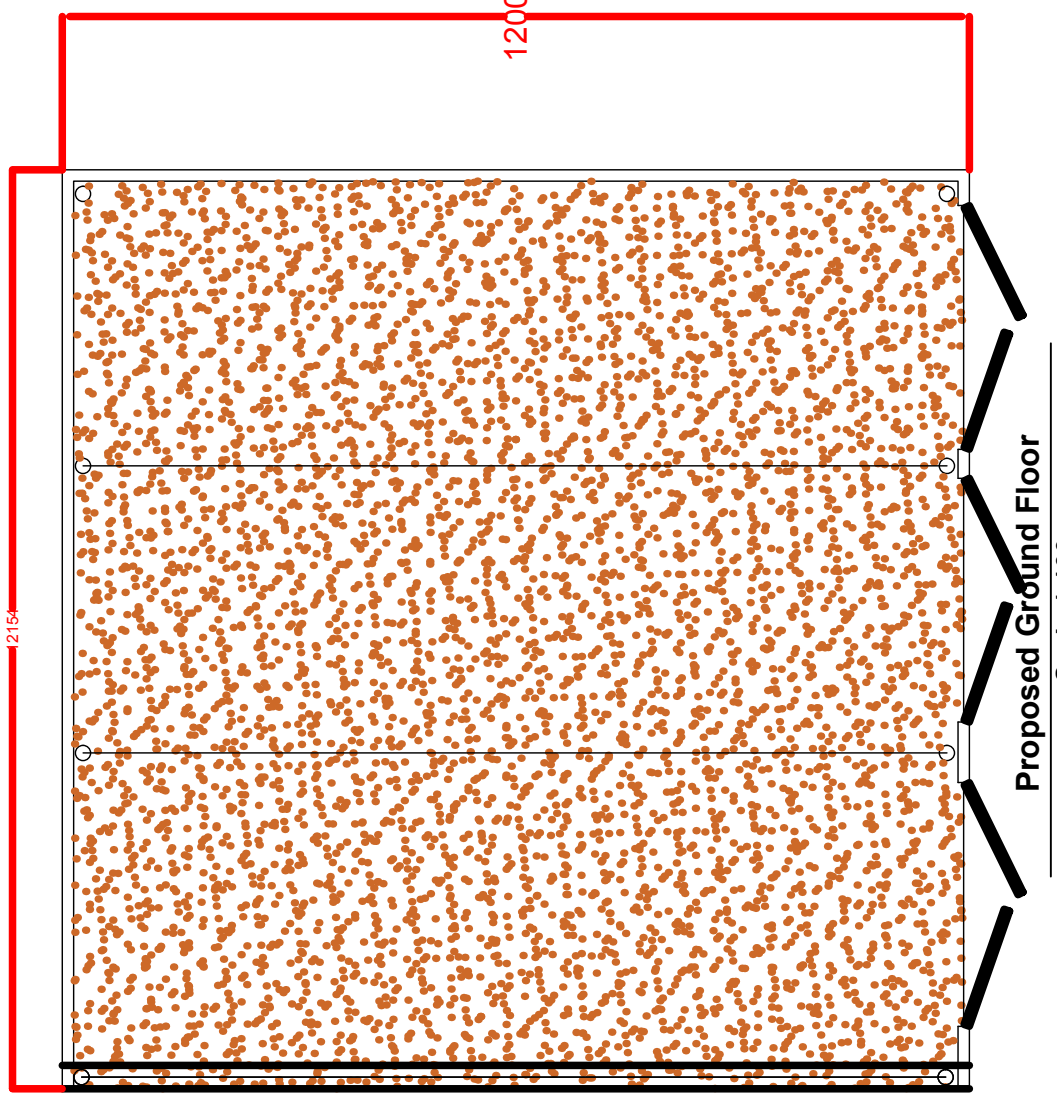
Proposed North West Elevation
Scale 1:100



Proposed South West Elevation
Scale 1:100

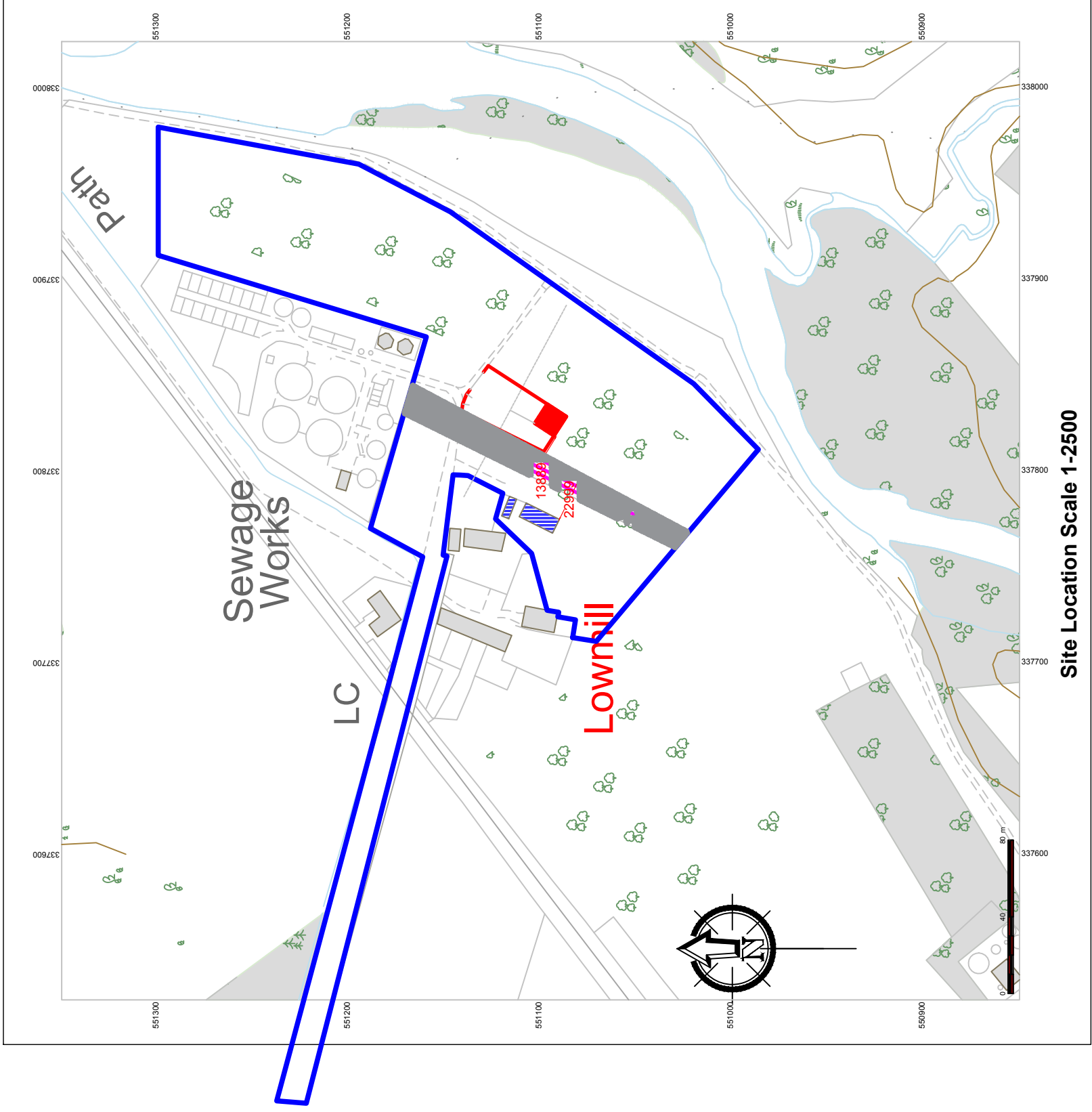


Proposed South East Elevation
Scale 1:100

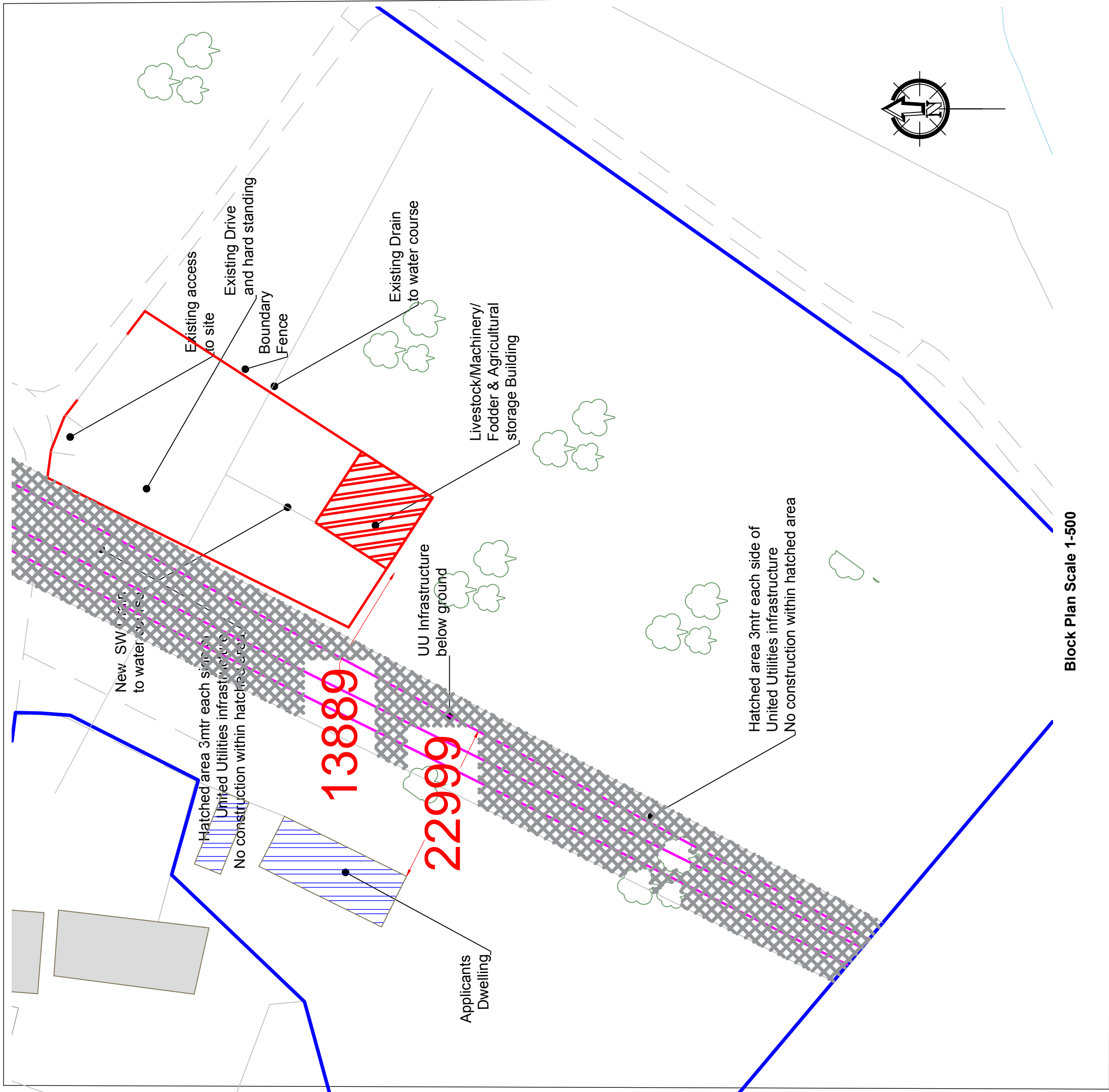


Proposed Ground Floor
Scale 1:100

Notes
Walls and roof to be clad in green metal profile cladding
Rainwater goods to be black Upvc connected to water course
Doors to be clad in sheeting to match walls
Access gate as existing shown on plan
New floor level of shed to be above known flood risk(see attached)
All animal waste to be dispersed over adjacent land as it accumulates to prevent odours and insect infestation



Site Location Scale 1:2500



Block Plan Scale 1:500

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CLIENT NAME
David Blunt Groundwork Ltd.

PROJECT TITLE
**Erection of Livestock and
Agricultural/Machinery/Storage
Shed at Lowmill Barn Lowmill
Dalston Carlisle CA5 7JU**

DRAWING TITLE Elevations/Floors/Sec/Notes	DRAWN BY PICASO	CHECKED BY TAW
	DATE 27th July 2018	REVISION
	DRAWING No. 027-30/PR SL-BP-EL-FL	

SCALE As Shown	REVISION DATE 7th March 2019
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