

Allerdale Borough Council

Planning Application 2/2018/0469

Proposed Development: New field access to classified road (C2023)

Location: Land Adj
Ellenhall
Gilcrux
Wigton

Applicant: Mr J Lister

Recommendation: **Grant permission**

Summary/Key Issues

Issue	Conclusion
Creation of access	The agricultural access is considered acceptable from a highway perspective.
Heritage issues	The proposal will not result in a detrimental impact on the character of the Grade II Listed Buildings to the east of the site.

Proposal

The applicant seeks consent to create a new field access in the classified road (C2023).

Site

The site is located some 600m north of the village of Gilcrux, and immediately west of the group of buildings at Ellenhall. On the south side of the road in this location is a red sandstone wall, which it is proposed to create the agricultural access within this wall. There is an existing access through this wall 15m to the northeast; this access is outside the application site and in a different ownership.

Relevant Planning History

None relevant

Representations

Gilcrux Parish Council – No reply to date.

ABC Environmental Health – No objection to the proposed development.

Cumbria Highway Officers – The layout details shown on the submitted plan are

considered satisfactory from a highway perspective. I can therefore confirm that the Highway Authority has no objection to the proposed development (29/10/18).

Cumbria Highways Officers – The response sent on 29 October from this Authority recommended approval for the new access on the basis that it was an improvement over the existing, as a result the proposed visibility splays at the new access are less than what we normally accept (but better than the previous).

If the applicant wishes to keep both we would recommend the applicant undertake a speed survey at the proposed point of access to ensure the visibility achieved is sufficient and compliant with our standards (28/11/18).

Cumbria LLFA – The LLFA do not have any records of flooding on this site and the Environment Agency (EA) surface water maps indicate that the site is in flood zone 3.

The application has been advertised on site and in the local paper. No representations have been received to date.

Development Plan Policies

Allerdale Local Plan 1999

Saved Settlement limits

Allerdale Local Plan (Part 1)

- Policy S1 - Presumption in favour of sustainable development
- Policy S2 - Sustainable development principles
- Policy S3 - Spatial Strategy and Growth
- Policy S4 - Design principles
- Policy S22 - Transport principles
- Policy S27 - Heritage Assets
- Policy DM14 - Standards of Good Design
- Policy DM15 - Extensions and alterations to existing buildings and properties

Other material considerations

Draft Allerdale Borough Local Plan (Part 2)

National Planning Policy Framework (NPPF) (2018)

Policy weighting

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 policies have primacy.

There are material considerations, including the NPPF and the Little Broughton appeal decision (PINs ref APP/G0908/W/17/3183948) which affect the weight afforded to the 1999 Local Plan settlement limits and policies S3 and S5 of the 2014 Part 1 Local Plan to the extent where they refer to those settlement limits and the housing numbers for each settlement. However, these are of no relevance here and the Part 1 Local Plan policies that are relevant are considered to have consistency with the NPPF and afforded full weight.

Assessment

Creation of Access

The proposal seeks permission for a new agricultural access which is required for agricultural purposes and road safety purposes. The new field gate will give access to a strip of land, 6m wide, which leads to a large field to the south.

To provide the required access it will result in removing approximately 5m of the existing sandstone wall and inserting a galvanised steel gate supported by steel gateposts. The top of the gate will be approximately level with the top of the wall. The proposed access gate will be similar in design to the existing gate to the east.

The applicant has detailed that the gate is needed to facilitate the management of cattle and sheep when they are moved to and from the large field to the south. Currently the field is accessed by an existing gate located in its north western corner, some 180m southwest of the proposed access. The location of this access is immediately inside a sharp bend in the highway, and is blind to traffic heading north out of Gilcrux. This creates a dangerous situation when handling animals.

The proposed access will allow for safer handling of animals, its location outside of a shallow bend in the highway has good visibility in both directions and allows for safer manoeuvring on vehicles.

The wall is set back 2.4m from the carriageway, and the existing verge is grassed, It is proposed to create a solid threshold in concrete in order to minimise the transfer of materials from the land onto the highway, this concrete will extend into the area immediately inside the gate. In order to prevent surface water running from the field and the concrete threshold into the highway, a soakaway drain will be created.

The highways authority have detailed the need for the existing access to be closed from a highway safety perspective this can be secured via condition.

The supporting text to policy DM6 advises in paragraph 352 that the policy aims to provide a positive planning framework for supporting development that supports traditional land-based activities. Development is required so that farming can sensitively respond to the changing usage of the countryside. Here the increase in use of the highway has led to a desire to improve highway safety and provide a new access. Significant weight is afforded to this as a benefit.

Heritage Issues

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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.”

To the southeast of the proposed access is a two storey dwelling with attached barns. This property is a Grade II Listed Building with the rear elevation facing out onto the agricultural fields.

The extensive barns attached to the dwelling have been converted into holiday let accommodation. To the rear of these conversion is a large black, metal sheeted agricultural building that lies between the application site and the Listed Building. To the northeast of the proposed access point is an existing field gate of similar size and design as proposed. The sandstone wall extends in both directions from the barns.

The significance of the heritage asset is derived, in part, from some of the architectural detailing. However, much is also derived from the siting of the original barn and house together without a break in the roof line, echoing the vernacular ensemble referenced by, amongst others, Brunskill.¹ This setting has been changed in more recent years by conversion of the later barn and, at some time in the twentieth century, by the erection of more modern structures. However, the agrarian character and overall appearance of a Cumbrian farmstead remains. The proposal will only serve to reinforce this setting given the intended use and appearance of the development.

The galvanised steel finish of the gate and posts is not a finish normally used. To reduce any impact from the gate the applicant has confirmed the gate will be finished in a matt dark grey.

The loss of a small section of the sandstone wall and the installation of an agricultural gate with an appropriate finish as proposed by the applicant is considered acceptable and will not harm the setting of the Listed Buildings.

In terms of impact on the heritage asset officers consider the proposal to be acceptable and in line with Policy S27 and paragraph 196 on the National Planning Policy Framework.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act the proposal will not result in any local financial consideration.

¹ Brunskill, R. (1987). *Vernacular architecture of the Lake counties*. London: Faber and Faber.

Conclusion

The proposal has been considered against the duty contained within s66 of the Listed Buildings Act 1990 as well as the policies of the Allerdale Local Plan Part 1 2014. It is considered necessary to respond to highway safety issues and the current needs of the farm. It will preserve the setting of the listed building with the less than substantial harm outweighed by the benefits.

Annex 1

Conditions/Reasons

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.
- 2. With the exception of the requirements of condition 3, the development hereby permitted shall be carried out solely in accordance with the following plans:**

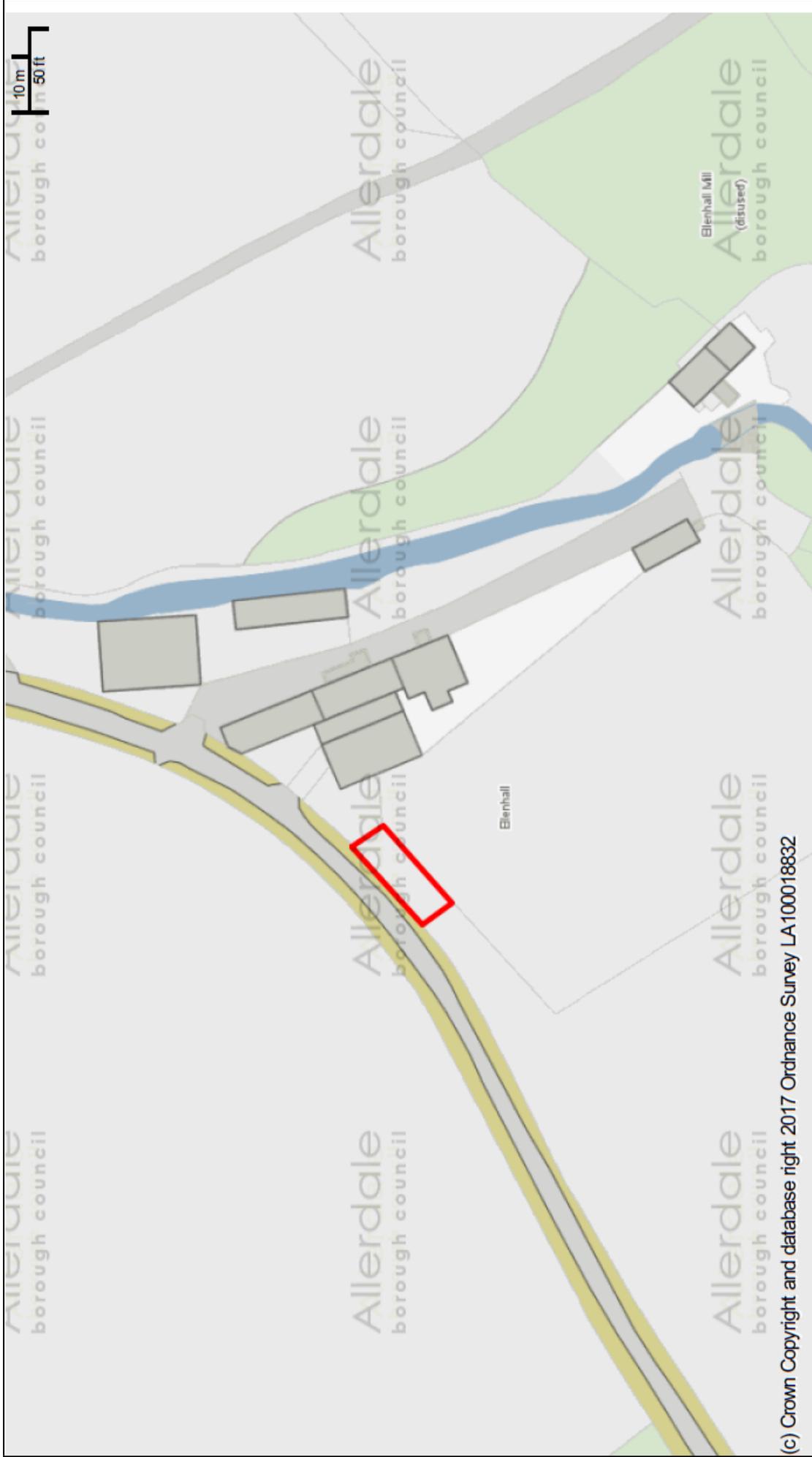
18.26.LOC Site Location Plan
18.26.SITE Rev A Site & Block Plan
Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.
- 3. The proposed galvanised gate and posts should be finished in matt grey colour and texture prior to being installed and shall thereafter be retained in this finish.**
Reason: In the interests of protecting the character of the Listed Building, in accordance with Policy S27 of the Allerdale Local Plan (part 1), Adopted July 2014.
- 4. Before the access is brought into use the existing access to the highway (marked green on the accompanying plan) shall be permanently closed and the post and wire fencing extended.**
Reason: To minimise highway danger.

Note to applicants:

No works and/or any person performing works on any part of the Highways, including verges, will be permitted, until in receipt of an appropriate permit allowing such works. Enquiries should be made to Cumbria County Councils Streetwork's team.

1) Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by, primarily identifying relevant development plan policies, any duties applicable as well as other material considerations that have been afforded weight, including emerging Local Plan policy, stakeholder representations and the National Planning Policy Framework. In this context, having identified matters of concern with the application as originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.





5m
10ft

Allerdale
borough council

Crown Copyright and database right 2017 Ordnance Survey LA100018832

Ellenhall

