



Summons to Meeting

Monday 11 January 2021

Development Panel

Tuesday 19 January 2021, 1.00 pm

Zoom Virtual Meeting

Membership:

Councillor Nicky Cockburn (Chair)
Councillor Carole Armstrong
Councillor Janet Farebrother
Councillor Adrian Kirkbride
Councillor Ron Munby MBE
Councillor Alan Smith

Councillor Malcolm Grainger (Vice-Chair)
Councillor Allan Daniels
Councillor Daniel Horsley
Councillor Elaine Lynch
Councillor Andrew Semple
Councillor Alan Tyson

This meeting will be broadcast live on the Allerdale Borough Council YouTube™ Channel.

If you have any questions or queries contact Lee Jardine on 01900 702502 or lee.jardine@allerdale.gov.uk.

Agenda

1. Apologies for Absence

2. Declaration of Interests

Councillors/Staff to give notice of any disclosable pecuniary interest, other registrable interest or any other interest and the nature of that interest relating to any item on the agenda in accordance with the adopted Code of Conduct.

3. Questions

To answer questions from Councillors and members of the public – submitted in writing or by electronic mail no later than 5.00pm, 2 working days before the meeting.

4. Development Panel - FUL/2020/0224 - Replacement machinery store and silage pit building, Swinsty Farm, Swinsty, Abbeytown (Pages 3 - 12)



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A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

Chief Executive

Date of Next Meeting:

**Tuesday 16 February 2021, 1.00 pm
Zoom Virtual Meeting**

Allerdale Borough Council

Planning Application FUL/2020/0043

Development Panel Report

Reference Number: FUL/2020/0224
Valid Date: 02/11/2020
Location: Swinsty Farm, Swinsty, Abbeytown, Wigton, CA7 4TR
Applicant: Mr D Tiffin
Proposal: Replacement machinery store and silage pit building

RECOMMENDATION

Grant permission subject to conditions.

1.0 Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	The proposed silage pit is an appropriate development supporting an existing farming business, and is appropriately designed and related to the existing farm buildings.
Scale and Design	Officers consider the proposed development is acceptable and assimilates into the local landscape.
Flood Risk & Drainage	The site is entirely in flood zone 1. There will be no increase in surface water run off as the site is currently hardstanding and contains buildings. The surface water will go to the existing drainage system.
Heritage	The application proposals seek to improve the setting of the listed building in replacing the existing with a more sensitively designed building than the one it replaces. It introduces a gap between the listed building and agricultural buildings causing significantly less than substantial harm to the setting.
Highway safety	The existing access to the farm will be unchanged and there will be no increase in traffic as a result of the proposal.

2.0 Introduction

2.1 This application had been referred to the Development Panel by Councillor Markley.

3.0 Proposal

3.1 The application proposal is for a replacement machinery store and silage pit building. The existing farm building would be demolished. The ridge line of the new building runs north to south, in contrast to the existing building where the ridge line is west to east. As a result the height of the proposed wall closest to the listed building has an eaves height of 4.5 metres, and the roof slopes away. This compares to the existing building which has an eaves height of 6.2 metres and a gable end which means the ridge height is on the boundary at 7 metres high.

3.2 The proposal would be approximately 3 metres away from the boundary with the farmhouse building, in contrast to the existing building which is built right up to the boundary.

3.3 The building has been reduced in width in comparison to the previous proposal and is 15.5m, which has been identified as the minimum width for viability. The height of the building has eaves of 4.5 metres which is 0.3m higher than the livestock buildings eaves but is required to allow the silage trailers to empty within the building.

3.4 The plans for consideration are:-

- Location Plan PB1
- Block Plan
- S2.03b Floor Plan and Elevations
- Swinsty Block Plan Comparison

The particulars can be viewed at;-

<https://allerdalebc.force.com/pr/s/planning-application/a3X3X000004DNqnUAG/ful20200224?tabset-e3f5c=2>

4.0 Site description

4.1 The site is located within the farm complex of Swinsty Farm, which is located to the south of Abbeytown. The application site itself currently accommodates an agricultural building, an open silage pit and open farm yard. The site is well screened due to other farm buildings and, even in long views from the B5302, by dwellings and hedges. It is located next to the Grade II listed farmhouse.

5.0 Relevant site history

- 5.1 There have been a number of applications in recent years in order to upgrade the farm and make it fit for purpose. The application proposals assist in the wider upgrading works. Permission was granted in July 2020 for a replacement agricultural building immediately east of the proposed building which has been constructed (FUL/2020/0121).
- 5.2 In terms of the application site itself, photos show that there has been a farm building and silage pit on the site since at least 2003. The walls to the silage pit had to be demolished as they were no longer safe. A Notice of Intention to construct a silage pit similar to the application proposal was considered under AGR/2020/0032 and a planning application was required so that heritage issues could be assessed.

6.0 Representations

County Highways Authority/Lead Local Flood Authority

- 6.1 The response made to the previous applications AGR/2020/0024 and FUL/2020/0121 should still apply. These responses stated there were no objections in relation to Highways. In relation to surface water, the response referred to consultation on previous applications which sought further information.

Environmental Health

- 6.2 No objection but suggested conditions to control construction noise hours of work and hours for deliveries.

Other representations

- 6.3 The application has been advertised by site notice and neighbour letters. No comments were received.

7.0 Environmental Impact Assessment

- 7.1 With reference to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the development falls within neither Schedule 1 nor Schedule 2. As such it is not EIA development.

8.0 Development Plan Policies

Allerdale Local Plan (Part 1) 2014

8.1 The Plan includes a series of Strategic Objectives. These are set out before the policies and start on page 14 of the Plan. They echo the strategies in the National Planning Policy Framework, albeit predating the latest iteration of that document, and set them in a local (Borough) context.

8.2 The following policies are considered to be relevant:-

Policy S1 – Presumption in favour of sustainable development

Policy S2 – Sustainable development principles

Policy S4 – Design principles

Policy S14 – Rural economy

Policy S27 – Heritage Assets

Policy S32 – Safeguarding amenity

Policy S33 – Landscape

Policy DM6 – Equestrian and Agricultural Buildings

These policies can be viewed at:-

<https://www.allerdale.gov.uk/en/planning-building-control/planning-policy/local-plan-part-1/>

9.0 Other material considerations

National Planning Policy Framework (NPPF) (2019)

9.1 Paragraph 213 advises that the weight afforded to development plan policies can vary according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

9.2 The NPPF is available to view at:-

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

10.0 Policy weighting

10.1 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 Parts 1 and 2 have primacy.

- 10.2 However, paragraph 212 of the National Planning Policy Framework (NPPF) 2019 advises that policies in that Framework are material consideration which should be taken into account in dealing with the applications from the day of its publication. In this context it is noted that paragraph 213 of the NPPF 2019 advises that due weight should be given to development plan policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 10.3 Members are advised that the decision should be made in accordance with the development plan with no material considerations, such as the NPPF, being afforded sufficient weight or reducing the weight of the Plan to such an extent that a decision contrary to it could be made. This is because the relevant policies for this application are consistent with the NPPF and afforded full weight and there is no other material considerations that come into play.

11.0 Assessment

Principle of development

- 11.1 Policy S14 of the Local Plan Part 1 states that the Council is committed to supporting the economic prosperity and sustainability of rural communities by enabling appropriately scaled economic development. In order to support the continued economic viability of farming the Council will support proposals for appropriately designed and related agricultural development and buildings.
- 11.2 The proposed agricultural development is well related to both the existing farmstead and highway. The proposed building is not visible from the street to the front, or in views from the B5302. It is adjacent to existing modern buildings on the farm, replaces existing agricultural buildings and structures, and is located within the existing farm yard. As reviewed below, the design of the building is appropriate to the rural context. The existing access to the farm will be unchanged. Subject to the consideration of its relationship with the listed building as set out below, its relationship with the existing farmstead is considered appropriate and the principle of the development is acceptable.

Design

- 11.3 Policy DM6 requires the design, scale, siting, external materials and appearance of the proposed agricultural development to respect and enhance the rural character of the local area. The scale, design and materials of the building tie in with those on the farm and are appropriate for the siting on a farmstead.
- 11.4 Following discussion with officers, the applicant has sought to minimise the size of the building and the proposed building is considered to be the minimum size that is viable. The building has been reduced in width but the minimum width to make it viable is 15.5m as there is a 5.5m wide corridor down the edge of the building adjacent to the new livestock build as this is a feed passage and also allows vehicle access through the building to the feed tower at the end of the

livestock building. The height of the building has eaves of 4.5m which is required to allow the silage trailers to empty within the building.

- 11.5 In terms of siting, the proposed building is located within the existing farm yard on the site of existing buildings and existing silage pit. It is well located in respect of scale and appearance and in relation to the listed building as set out below.

Flood risk and drainage

- 11.6 The site is entirely in flood zone 1, the preferred location for the more vulnerable use proposed here. There are no known critical drainage problems or surface water flooding records for the site.
- 11.7 The LLFA has referred to consultation on previous applications where there was no objection but sought information on how surface water would be dealt with. It is proposed that the existing surface water drainage scheme will be used, and this is considered acceptable as there will be no increase in run off due to the building being located on existing hardstanding.

Heritage

- 11.8 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." The council therefore has a duty to have a special regard on developments which may affect the character or setting of the listed building.
- 11.9 Swinsty Farmhouse is a Grade II Listed Building (ref 1212570) which lies to the west of the proposed building. The listing states:

"Farmhouse. Dated and inscribed over former entrance J & J.J. 1667, with extensive C18 and C19 alterations; extension dated 1866. Whitewashed rendered rubble walls, partly of stone from Holme Cultram Abbey. Graduated greenslate roof with coped gables and kneelers; stone chimney stacks. 2-storey, 3-bay farmhouse with flanking extensions under common roof. 4-panel door under glazed fanlight in C19 painted stone surround. Sash windows with glazing bars in painted stone surrounds. Ground floor 2-pane sash window to extreme right was formerly an entrance with shaped lintel dated and inscribed (probably moved from its original position). Built into wall below eaves to right of entrance, is the capital of a 3-shaft column from the Abbey. Extension to left has plank door in painted stone surround. Projecting datestone above entrance and similar uninscribed stone to right. Contemporary outshut to rear has stone mullioned windows with mullions removed and smaller chamfered-surround fire window. James Jackson's Diary 1650 to 1683, Transactions Cumberland & Westmorland Antiquarian & Archaeological Society, new series, vol i, p113, "My new house

begun wth to build Apr. 15th 1667 by Edwd Ben and his men;" p116 "May 22nd 1651. Memoranda we removed from Cannonby to Swinsty in Holme Cultram this day." Adjoining outbuildings are not of interest."

Listing NGR: NY1748250304

- 11.10 The farmhouse is significant in terms of architecture and history, with materials incorporated from Holme Cultram Abbey. As a farmhouse, the building has always been and continues to be located within a farm setting and has a functional setting as part of an extant farm, as well as the physical setting within a landscape of fields and other agrarian buildings.
- 11.11 The vehicular access to the site is to the west of the farmhouse with the farm buildings located to the east. The principal view of the listed building is from the road to the front elevation. The proposed building will not be visible in this view. The other potential view is from the B5302 but this is obscured by buildings and hedgerows.
- 11.12 There are a number of modern building and structures on the site. The proposed building represents a replacement building and will be located adjacent to a cluster of these buildings.
- 11.13 To the rear, the application site lies adjacent to the listed building and this relationship is key to the determination of the application. The applicant has sought to respect the listed building in the following ways:
- restricting the overall size of the building to the minimum viable
 - reviewing alternative sites sequentially to identify any preferable options
 - moving the siting of the building 3 metres east to increase the distance from the listed building
 - Orientating the building north-south so as to minimise the height of the wall that faces the listed building
- 11.14 The application proposal seeks to improve the setting of the listed building as it is a more sensitively designed building than the one it replaces. The existing machinery store has a gable end wall that is located right up against the wall of the listed building. The existing gable wall is higher than the proposed, with an eaves height of 6.2 m and ridge height of 7m. The proposed gap of 3 metres will separate the buildings so any impact on the setting of the listed building will be considerably less than substantial.
- 11.15 Overall, in terms of the duty to have a special regard on developments which may affect the character or setting of the listed building, there will be considerably less than substantial harm which assures that the setting of the asset is preserved.

Highway Safety

11.16 The existing access to the farm will be unchanged and there will be no increase in traffic as a result of the proposal. The Highways Authority have no objections.

Other Issues

11.17 Policy DM6 also seeks to ensure that there is no adverse effect on residential amenity, landscape, or ecology within the locality of the site. The site is already used for machinery store and silage so there will be no change in use and no impact on residential amenity. The building is well screened and, if viewed at all, it will be in the context of existing farm buildings. The site is a farm yard and there will be no impact on ecology.

12.0 Balance and conclusions

12.1 The proposal has been considered against the provisions of the development plan in the first instance. There are no material considerations which suggest that a decision should be made contrary to the Plan (parts 1 and 2 of the Allerdale Local Plan). The principle of the development is acceptable in supporting the existing farm business. The proposed building has been located appropriately in the context of the existing farm yard, and the design has been considered in the context of the need to protect the listed building and its setting.

RECOMMENDATION

Grant permission subject to conditions

CONDITIONS

Time Limit:

- 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.

In Accordance:

2. The development hereby permitted shall be carried out solely in accordance with the following plans:

- **Location Plan**
- **Location Plan PB1**
- **Block Plan**
- **S2.03b Floor Plan and Elevations**
- **Design & Access Statement and Heritage Statement**

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.

