

**Allerdale Borough Council**

**Planning Application  
Development Panel Report**

**Reference Number:** FUL/2022/0065

**Valid Date:** 17/03/2022

**Location:** Large Barn, Scales Farm, Ellerbeck Brow, Brigham, Cockermonth, CA13 0SY

**Applicant:** Paul Lightfoot

**Proposal:** Full planning application for a single dwelling on the site of the collapsed barn

**RECOMMENDATION**

**Approve subject to conditions**

**1. Summary**

<b><u>Issue</u></b>	<b><u>Conclusion</u></b>
Principle of Development	The proposal is technically a departure from the Local Plan as the proposals are now for a new build dwelling. The original stone barn was damaged and then collapsed following storm damage and as such the original permission for the conversion to 2 dwellings could not be implemented. The proposal for a single dwelling respects the original barn character and incorporates salvaged material to retain local distinctiveness.

**2. Proposal**

- 2.1 The application seeks planning consent for the construction of a detached dwelling on the footprint of a collapsed stone barn. The proposals have been designed to maintain the footprint and scale of the original barn and would utilise salvaged stone from the original barn to the main elevations and matching stone for any remaining elements.
- 2.2 The originally permitted access would be retained and no changes are proposed.

2.3 The proposals are now for a single dwelling rather than 2 dwellings as per the original conversion permission. As such there is no longer a need for the single storey front extension originally permitted. The proposals have been amended during the determination of the application to simplify the design and remove the proposed two storey rear extension.

2.4 The Plans for consideration are:

Existing Site Layout and Site Location Plan – KL-1162 No.1 Rev B

Proposed site layout and access plan – KL-1162 No.5

Proposed floor plans – KL-1162 No.2 Rev D

Proposed Elevation Plan - KL-1162 No.3 Rev D

Revised Drainage Plan – KL-1162 No.4 Rev B

### **3. Site**

3.1 The application site comprises two agricultural buildings and a collapsed stone barn, which is subject to this application. The single storey barn to the south of the application site has been converted to residential use as per the 2015 permission. The barn to the north has permission for use as a B1 food preparation in association with a local butcher. To the east is a replacement dwelling. The site is adjacent to the public highway that connects Brigham (1km) with Cockermouth (0.9km). There are no other adjacent dwellings or other development with open countryside on all sides. The original full approval 2/2015/0318 remains extant with the single story barn conversion completed and the use of the portal barn for storage and car parking.

### **4. Relevant Planning History**

4.1 2/2015/0318 - Change of use of traditional unused barns to 3 dwellings with domestic garages – Approved  
VAR/2019/0033 - Variation to application 2/2015/0318, condition 2 to update elevation drawings- Approved  
CON1/2015/0318 - Application for approval of details reserved by Condition 7 (Architectural & Historic) on planning approval 2/2015/0318 – Approved  
CON2/2015/0318 - Approval of details reserved by conditions 1, 5, 8 and 9 of planning approval 2/2015/0318 - Approved

### **5. Representations**

#### **Brigham Parish Council**

5.1. Object – to the principal of the construction of a dwelling and contrary to Policy.

#### **United Utilities**

5.2. No objection subject to conditions

## **Environmental Health**

- 5.3 No objection – subject to standard contamination consultants

## **United Utilities**

- 5.4 Comments provided regarding drainage hierarchy and connecting utilities.

## **Neighbouring comments**

- 5.5 No letters of representation have been received.

## **6. Environmental Impact Assessment**

- 6.1. With regards to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the development does not fall within Schedule 1 nor 2 and, as such, is not EIA development.

## **7. Duties**

- 7.1 Not applicable

## **8. Development Plan Policies**

- 8.1 Allerdale Local Plan Part 1 (2014)

S1 – Presumption in favour of sustainable development  
S2 – Sustainable development principles  
S3 – Spatial Strategy and Growth Policy  
S4 – Design principles Policy  
S5 – Development principles Policy  
S29 - Flood Risk and Surface Water Drainage Policy  
S32 - Safeguarding Amenity Policy  
DM14 - Standards of Good Design

- 8.2 Allerdale Local Plan Part 2 (2020)

Policy SA2 - Settlement Boundaries Policy  
SA5 Housing Standards  
Policy SA33 - Broadband Other Material Considerations

## **9. Other Material Considerations**

- 9.1 National Planning Policy Framework (NPPF) (2021)  
9.2 Council Strategy 2020-2030

## **10. 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 (Part 1) 2014 and the Allerdale Borough Local Plan (Part 2) 2020 policies have primacy.

## **11. Assessment**

### Principle

- 11.1 Policy S3 of the Allerdale Local Plan (Part 1) (adopted July 2014) (ALPP1) sets out the framework for development across the area. In order to achieve sustainable growth it seeks to direct the majority of new growth to Workington, as the principal centre, together with other key and local service centres. Beyond this a limited amount of growth is expected to take place in a number of identified villages. Part 2 of the Allerdale Local Plan (Part 1) (adopted July 2020) includes the adopted settlement limits for the towns and villages of the Borough, and policy SA2 specifies that there is a presumption in favour of sustainable development within the settlement boundaries as defined on the Policies Map. Proposals outside the settlement boundaries will be supported where it can be demonstrated that it complies with Policy S3 and other policies in the Local Plan.
- 11.2 The material circumstances of this application are that permission was granted for the conversion of the stone barn under a 2015 application with all pre-commencement conditions discharged and the conversion of the single storey barn implemented. However following storm damage the large barn collapsed by no fault of the owner. As such the owner was left with a predicament that the conversion of the barn could no longer be lawfully implemented as there was no longer a building to convert. Following this the applicant had correspondence at the pre application stage with the former Head of Development Management regarding options for the site and a revised scheme was suggested in relation to a new build single dwelling on the same footprint and scale of the original barn.
- 11.3 New development in such locations can normally only be supported where they meet one of the criteria specified at points a – j of Policy S3 of the Allerdale Local Plan (Part 1). As identified the proposals do not meet these criteria by virtue of being a new build dwelling in the open countryside. The proposals are therefore a departure from the development plan.
- 11.4 However it is a material planning consideration that there is an extant planning history on the site for two dwellings through the conversion of the barn that original stood on the site. Following the unfortunate adverse storm damage which resulted in the loss of the original barn this is a material planning consideration that carries weight in favour of the proposals in the planning balance.

## **Layout and the impact on the character of the area**

- 11.5 The proposals have been amended during the determination of the application reverting to a scheme more reflective in design to that of the original permission albeit for a single dwelling. This also negated the need for the large single storey extension to the front elevation. This now allows for a more traditional barn appearance on the front elevation. The proposals incorporate an integral garage however the doors to the opening are reflective of barn openings and therefore in keeping. The rear elevation creates a moderately more modern opening arrangement however this is similar to what was approved for the barn conversion and as such is considered acceptable. The stone from the collapsed barn has been stored and would be used for the construction of the new dwelling with additional stones to match with natural slate to the roof and timber windows. In addition, solar panels are proposed on the rear roof slope. The layout remains unchanged to the original permission and results in an overall reduction in footprint. The materials, design and scale are in keeping with the rural setting and the original barn that was situated on the site.
- 11.6 As such it is considered that the proposals would maintain the character and appearance of the area. Conditions would ensure that the materials are secured and permitted development rights removed to retain control over the character and appearance of the building and its curtilage.

## **Amenity/Odour**

- 11.7 Policy S32 of the Allerdale Local Plan (Part 1), seeks to ensure that new housing is located where it will not result in poor living conditions. The National Planning Policy Framework (NPPF) also requires that new development should seek to secure a good standard of amenity for all existing and future occupiers of land and buildings. The proposals retain the same separation distances to the adjacent dwellings and as such no impact on amenity would result. In relation to the adjacent B1 use this is not considered to give rise to an adverse impact on the future occupants of the dwelling.

## **Highway and Parking**

- 11.8 The access arrangement has already been permitted and the proposals result in a net reduction of 1 dwelling. The parking within the adjacent steel framed open barn would be retained in addition to the integral parking space and as such the proposals would not result in an adverse impact on highway safety and would provide sufficient off street parking to serve the dwelling.

## **Drainage**

- 11.22 The drainage details have been provided as part of the application documents having already been considered and approved as part of the discharge of conditions for the original 2015 permission. As such the drainage details are considered acceptable and a condition would be appended to ensure that the development would be carried out in accordance with those details.

## 12 **Conclusions**

- 12.1 The proposals are a departure from the local plan however it is considered that the proposed scheme maintains the character and appearance of the area. The proposals are now for a single dwelling and in the context of the setting would not give rise to an adverse impact. The proposals would provide adequate amenity and parking provision and would not give rise to any surface water drainage flooding.

## 13 **Recommendation**

- 13.1 That the proposal be approved subject to the following conditions.

### **Conditions**

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

**Existing Site Layout and Site Location Plan – KL-1162 No.1 Rev B**

**Proposed site layout and access plan – KL-1162 No.5**

**Proposed floor plans – KL-1162 No.2 Rev D**

**Proposed Elevation Plan - KL-1162 No.3 Rev D**

**Revised Drainage Plan – KL-1162 No.4 Rev B**

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. No external stonework shall be constructed on site, until details of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall be constructed in accordance with the approved details.**

Reason: in the interests of visual amenity and the character and appearance of the area.

- 4. The roof shall be finished in natural slate.**

Reason: In the interests of visual amenity and the character and appearance of the area.

5. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.**

Reason: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

6. **Prior to the occupation of the development, the approved surface water drainage as detailed on Revised Drainage Plan – KL-1162 No.4 Rev B shall be implemented in full accordance with the approved scheme. Thereafter it shall be maintained and managed in accordance with the approved details.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

7. **Notwithstanding the reference to render on the submitted plans, no render shall be installed.**

Reason: In the interests of visual amenity and the character and appearance of the area.

8. **All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

