

# **Cumberland Council**

## **Delegated Planning Application**

**Reference No:** FUL/2024/0238  
**Valid Date:** 4 December 2024  
**Location:** Waverbank Farm, Waverbank, CA7 8PN  
**Applicant:** Greening  
**Proposed:** New Calf Housing  
**Recommendation:** Granted with Conditions

### **Site Description**

The site relates to an existing farmstead in the open countryside, Waverbank Farm.

### **Site History**

FUL/2024/0243 Erection of calf housing building - pending.

### **Proposal**

Planning permission is sought for the erection of a calf housing building.

### **Consultation Responses**

#### **Parish Council**

No objections.

#### **CCC Minerals & Waste**

No reply to date.

### **Environmental Health**

No objections.

### **Natural England**

No objections.

The application has been advertised on site. No third-party representations have been received to date.

### **Duties**

Does the site affect the setting of a listed building?

No

Is the site within a designated conservation area?

No

Is the development likely to have a significant effect upon a Natura 2000 designation?

No

### **Environmental Impact Assessment**

## The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

- The development is neither within Schedule 1 nor 2 and, as such, is not EIA development.

### **Development Plan Policies**

#### **Allerdale Local Plan Part 1 (2014)**

Policy S1 – Presumption in favour of sustainable development

Policy S2 – Sustainable development principles

Policy S4 – Design principles

Policy S14 – Rural economy

Policy S32 – Safeguarding amenity

Policy S33 – Landscape

Policy DM6 – Equestrian and Agricultural Buildings

### **Other Material Considerations**

National Planning Policy Framework (2024)

### **Weighting**

Notwithstanding any duty identified above, 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 Borough Local Plan (Part 1) 2014 policies have primacy.

With regards to agricultural development, they are considered to be consistent with the provisions of the NPPF and afforded full weight. 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.

## **Assessment**

### **Is the proposed agricultural development well related to the existing farmstead and highway?**

The proposal will see the erection of a new building on site incorporating an unused section of land, to the southeast of the existing farm buildings on site, therefore retaining a good relationship with the current built format. The existing access to the site will be utilised.

### **Does the design, scale, siting, external materials and appearance of the proposed agricultural development respect and enhance the rural character of the local area?**

The scale, design and materials match those of the existing buildings. The building will be sited to the front but detached from the existing farm buildings but will be accessed from the same area of farm yard providing an acceptable siting.

### **Would the proposed development have an adverse effect on residential amenity (including if applicable manure storage/disposal), landscape, ecological, highways, drainage or historic elements within the locality of the site?**

There are no immediate neighbours in close proximity to the siting of the proposed building, with the building been seen within the existing backdrop of the farmstead and therefore not altering the landscape.

The proposal has been screened as per the requirements of the Habitats Regulations and this concludes that a likely significant effect can be ruled out. Therefore no further assessments are required from the applicant in this respect.

Biodiversity Net Gain (BNG) metric have been submitted and the councils are satisfied that a 10% BNG can be provided on site. A condition will be attached securing further details of the BNG enhancement prior to commencement of works.

## **Balance and Conclusion**

The proposal is in line with national and local policy and is considered acceptable.

### **Conditions / Reasons for Refusal**

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:**

**Location Plan**

**Amended Dwg M171-06 FP Location Plan/BNG**

**Dwg No: 04 Rev A As Proposed Building**

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 development hereby permitted shall commence until:**

**a) a Biodiversity Gain Plan has been submitted to the planning authority demonstrating a 10% net gain,**

**b) the planning authority has approved the plan in writing,**

**c) the uplift from modified grassland to other neutral grassland is accompanied by a Habitat Management and Monitoring Plan in place for 30 years as the gains here constitute 'Significant On-site Gains', this monitoring plan is to be accepted by the council and,**

**d) Monitoring results are to be programmed to be submitted to the council. These should include evidence demonstrating how BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.**

**The development shall be carried out in accordance with the approved plans.**

In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy S35 of the Allerdale Local Plan (Part 1) (2014), the National Planning Policy Framework and The Environment Act 2021.

### **Pro-active Statement / Notes to Applicant**

## **Application Approved Following Revisions**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. 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.