

S78 Town and Country Planning Act 1990
(as amended)

Squirrel Cottage, Chapel Row, Rowrah, Frizington

Appeal by Mr and Mrs Watson against the application of a
Planning Condition by Cumberland Council to time limit the siting
of a lodge for an agricultural worker

(LPA reference 4/23/2308/0F1)

(PINS reference APP/H0900/W/24/3346378)

STATEMENT OF COMMON GROUND

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1. Introduction

- 1.1. This Statement of Common Ground (SoCG) has been prepared by Cumberland Council as the Local Planning Authority (LPA). It has been prepared in respect of an appeal made by Mr and Mrs Watson against Cumberland Council's decision to apply a planning condition time limiting the siting of a lodge for residential use by an agricultural worker (LPA reference 4/23/2308/0F1).
- 1.2. The SoCG has been prepared utilising the guidance contained in the 'Procedural Guide: Planning appeals – England' (December 2022).
- 1.3. The SoCG sets out those matters that are agreed between the parties and those matters that remain in dispute.

2. The Appeal Site and its Surroundings

- 2.1. The application relates to a site within the land and buildings associated with Squirrel Cottage, Rowrah. The application site adjoins a holiday lodge to the northeast (which is part of the farmyard), surfaced yard/access area to the south and east, and further land and building owned by the applicant to the west.
- 2.2. Outside of the landowners site, the dwellings on Chapel Row are to the north and east, the High Leys residential development is further to the south east and west is commercial development, consisting of the Ennerdale Brewery Tap and Bistro, Birketts Fencing and Bogmats, and the base for a commercial coach business.
- 2.3. The site is in use as a farm type smallholding, for which the applicant is currently building up as a business. They have additional land to the north of Chapel Row for farming, and a caravan on the application site.
- 2.4. The topography of the land falls towards the north and west of this site due to the positioning of former railway lines in the area, and it is contained by hedgerows and post and wire fences to most of the farm boundaries. The small holding extends to a total site of approximately 18 acres.
- 2.5. Whitehaven is the Main Service Centre in the Borough as detailed in the Copeland Local Plan and is 5 miles to the west of the site. The A5086 which runs through Copeland can be joined 250m from the site and provides easy access to both the A595 to Sellafield and Whitehaven and continues north towards Cockermouth, and Cleator Moor to the west. The A595 links to the A66, 5 miles north of the site which connects to Penrith and Junction 40 of the M6 to the east.
- 2.6. The application site is located close to the Arlecdon/Rowrah settlement boundary (220m away) and is therefore close to the local amenities in the villages consisting of the Primary School, church, playpark, village hall, sports pitches and a pub and a restaurant.

3. Planning History

3.1. The planning history of the site comprises the following:

- 4/20/2081/0F1 - Retention of existing buildings and change of use of parcel of agricultural land to menage (retrospective), approved in April 2020
- 4/20/2329/0F1 – The material change of use of land for the siting of a residential caravan (retrospective) – Land at The Willows, Rowrah – Approved in October 2020
- 4/20/2358/0F1 - change of use of land for the siting of one holiday lodge – Land at The Willows, Chapel Row, Rowrah – Approved
- Outline application with all matters reserved for a single dwelling – Squirrel Cottage, Rowrah – Withdrawn in October 2023

4. The Proposal

- 4.1. Planning Permission was sought for the change of use of a parcel of land measuring 0.9 hectares to allow the siting of a lodge for an agricultural worker.
- 4.2. The proposed lodge will be single storey and will comprise two bedrooms, an open plan kitchen/living/dining room and a bathroom. It is to be finished with timber cladding and a small wooden deck will be sited off the living room.
- 4.3. The applicant's agent submitted an agricultural appraisal in support of the application that sets out details of the farming and small holding operations to justify the need for the proposed lodge on the site. The farming comprises the keeping of some livestock (horses, donkeys and alpacas) and also the use of the land as grazing and to produce hay for winter feed for the livestock. There is a range of buildings of the housing of the livestock and for the storage of hay and feedstuff.
- 4.4. The lodge was proposed on a temporary basis of three years to enable the existing business to continue and become more viable.
- 4.5. Due to the size of the farm and the maintenance and security required, the appraisal claimed that there is a need for the Applicants to be on site at all times.
- 4.6. The applicants currently use an existing static caravan to provide accommodation and it is proposed that the caravan is removed and replaced by the lodge as part of this proposal.
- 4.7. The site also houses an existing lodge which is used for holiday rental purposes. There are no buildings on the site which are vacant and suitable for conversion.

5. The Planning Application Process

- 5.1. The planning application was submitted to Cumberland Council by Mr and Mrs Watson in October 2023. It was validated on 26th October 2023 and was given the reference no. 4/23/2308/0F1.
- 5.2. The application was submitted in full. The description of the proposed development was as follows:
- “Change of use of land for the siting of a lodge for an agricultural worker”.*
- 5.3. At the point of submission the application comprised:
- Application form;
 - Site Location Plan;
 - Existing Site Plan;
 - Proposed Site Plan;
 - Proposed Floor Plans;
 - Proposed Elevations;
 - Proposed 3D plan;
 - Cross Section;
 - Agricultural Appraisal.
- 5.4. During the determination period, the following documents were submitted:
- Amended Proposed Site Plan;
 - Amended Proposed Floor Plans;
 - Amended Proposed Elevations;
 - Amended Proposed 3D Plan;
 - Amended Cross Section;
 - Planning Statement;
 - Proposed Lodge Footprint Site Plan.
- 5.5. Consultations were carried out as follows:
- Lamplugh Parish Council;
 - Highways Authority and Local Lead Flood Authority;
 - United Utilities;
 - Independent Agricultural Appraisal assessor – Alan Jackson BSc FRICS FAAV;
 - 4 x neighbouring properties;
 - Site notice dated 2nd November 2023.

- 5.6. No objections were received to any consultations. Some conditions were suggested by Statutory Consultees – these are laid out within the Officer Delegated Report (Appendix A)
- 5.7. The application was approved under delegated powers and the decision notice issued on 7th February 2024.

6. Planning Policy

- 6.1. On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

- 6.2. Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28th March 2024.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

The Report on the Examination of the ELP was received on the 23rd September 2024. Given the advanced stage of preparation and with adoption pending, full weight can be attached to the policies of the ELP.

- 6.3. Policy ST2 (C) of the Copeland Local Plan 2013-2028 seeks to:

“restrict... development outside the defined settlement boundaries to that which has a proven requirement for such a location, including:

vi) Housing that meets proven specific and local needs including provision for agricultural workers, replacement dwellings, replacement of residential

caravans, affordable housing and the conversion of rural buildings to residential use.”

See Appendix B.

6.4. Policy DM19 of the Copeland Local Plan 2013-2028 states that:

“The Council will not permit any new caravans, mobile homes, chalets, or beach bungalows for residential use, except where:

A Permanent residential chalets are intended to replace existing residential caravans on sites of more than 10 residential caravans

B Individual caravans or residential mobile homes are proposed for a dependant relative or as temporary accommodation to support the establishment of a new rural enterprise

C The repair or rebuilding of beach bungalows is of a scale and character matching the existing structure, and occupancy is restricted solely for holiday purposes”

See Appendix B.

6.5. Policy DS4PU of the Emerging Copeland Plan 2021-2038 states that:

“To ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundaries will only be accepted in the following cases:

1)Where the proposal is for housing and;

a) the site is well related to and directly adjoins the settlement boundary of a town or local service centre; and

b) the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and

c) the Council is unable to demonstrate a 5-year supply of deliverable housing sites; or

- there has been previous under-delivery of housing against the requirement for 3 years or more or*
- the proposal is for a specific type of housing supported by Policies H15PU, H16PU or H17PU.*

2) The proposal is for one of the following types of development and a proven need for an open countryside location has been demonstrated to the satisfaction of the council:

- Nuclear related developments*
- Renewable energy proposals, including wind farms*
- Essential infrastructure to support energy developments and other infrastructure*
- Agricultural, forestry, farm diversification or tourism proposals which require such a location.”*

See Appendix C.

6.6. Policy H16PU of the Emerging Copeland Plan 2021-2038 states that:

“Housing will be permitted within the open countryside where it can be demonstrated that the dwelling is essential to allow a rural worker to live permanently at or near their place of work.

The development will only be permitted where:

- a) there is a clearly established existing functional need;*
- b) the need relates to a full-time worker, or one who is primarily employed in a rural business and does not relate to a part-time requirement;*
- c) the unit and the rural business concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;*
- d) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and*
- e) other planning requirements, e.g. in relation to access, or impact on landscape and biodiversity, are satisfied.”*

See Appendix C.

7. The Planning Decision

- 7.1. Full planning permission was granted for the change of use of the land and the siting of the lodge for an agricultural worker on 7th February 2024.
- 7.2. Planning Permission was granted for a temporary period of 3 years until 7th February 2027.
- 7.3. The decision notice is within Appendix D.

8. Matters in Dispute

- 8.1. Is a 3 year planning permission reasonable?
- 8.2. Is there an essential need for an agricultural working to live on site full time?
- 8.3. Is the current enterprise financially viable?
- 8.4. Is the site located within the village of Rowrah?
- 8.5. Is the accommodation suitable for permanent occupation?
- 8.6. Have all of the relevant conditions been discharged in accordance with the planning permission?

9. Drawings upon which the application was determined

- 9.1 Application form, received 26th October 2023;
Site Location Plan, scale 1:1250, drawing number 002, received 26th October 2023;
Proposed Site Plan, scale 1:500, drawing number 001, received 30th January 2024;
Proposed Floor Plan, received 29th January 2024;
Proposed Elevations, received 29th January 2024;
Cross Section, received 29th January 2024;
Agricultural Appraisal, written by PFK, received 26th October 2023;
Planning Statement, written by SRE Associates, received 3rd January 2024.

Appendix A – Officer Delegated Report

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2308/0F1
2.	Proposed Development:	CHANGE OF USE OF LAND FOR THE SITING OF A LODGE FOR AN AGRICULTURAL WORKER
3.	Location:	LAND AT SQUIRREL COTTAGE, ROWRAH
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to a small-holding of approximately 8.2 hectares that has been established upon a section of land that was formerly used for industrial purposes including railway land and a waste water treatment plant. The site is adjoined on its north eastern boundary by 2 dwellings, with further agricultural land to the south east and a mixed use industrial area to the west. The site is located to the east of the village of Rowrah and has a vehicular access running into the site from the northern boundary with the public highway known as Chapel Row.	

PROPOSAL

Planning Permission is sought for the change of use of a parcel of land measuring 0.9 hectares to allow the siting of a lodge for an agricultural worker.

The proposed lodge will be single storey and will comprise two bedrooms, an open plan kitchen/living/dining room and a bathroom. It is to be finished with timber cladding and a small wooden deck will be sited off the living room.

The applicant's agent has submitted an agricultural appraisal in support of the application that sets out details of the farming and small holding operations to justify the need for the proposed lodge on the site. The farming comprises the keeping of some livestock (horses, donkeys and alpacas) and also the use of the land as grazing and to produce hay for winter feed for the livestock. There is a range of buildings of the housing of the livestock and for the storage of hay and feedstuff.

The lodge is proposed on a temporary basis of three years to enable the existing business to continue and become more viable.

Due to the size of the farm and the maintenance and security required, the appraisal claims that there is a need for the Applicants to be on site at all times.

The applicants currently use an existing static caravan to provide accommodation and it is proposed that the caravan is removed and replaced by the lodge as part of this proposal.

The site also houses an existing lodge which is used for holiday rental purposes. There are no buildings on the site which are vacant and suitable for conversion.

RELEVANT PLANNING APPLICATION HISTORY

4/20/2081/0F1 - Retention of existing buildings and change of use of parcel of agricultural land to menage (retrospective), approved in April 2020

4/20/2329/0F1– The material change of use of land for the siting of a residential caravan (retrospective) – Land at The Willows, Rowrah – Approved

4/20/2358/0F1 - change of use of land for the siting of one holiday lodge – Land at The Willows, Chapel Row, Rowrah -- Approved

CONSULTATIONS RESPONSESLamplugh Parish Council

No response received.

Cumbria Highways and Local Lead Flood Authority

As the development is using an existing access from the public highway onto the applicants land. There are no concerns from a highway perspective.

LLFA

It is noted that there is an existing package treatment already on site. Should there be a need to upgrade the pipe work to the watercourse to accommodate the new development, then consent will be required from the LLFA. This also applies to any new outfall for surface water

drainage should it be required, in line with the drainage hierarchy. The applicant will need to ensure that they meet the general binding rules for discharge to the water course.

Informative- Prior to any work commencing on the watercourse the applicant should contact the Lead Local Flood Authority on tel: 01228 221331 or email:

LFRM.consent@cumbria.gov.uk to confirm if an Ordinary Watercourse Flood Defence Consent is required. If it is confirmed that consent is required it should be noted that a fee of £50 will be required and that it can take up to two months to determine.

With the above in mind the LHA and LLFA have no objections to the development, as this is a single dwelling the remaining aspects of the development can be covered under our Flood & Development Management Service Level Agreement (SLA) The remaining highway and drainage implications of this application would therefore be decided by the Local Planning Authority.

United Utilities

United Utilities provides the following comments to support the Local Planning Authority in their determination of the planning application detailed above, and to direct the applicant to further sources of support and guidance on matters that might impact their proposal. The letter and Appendix should be read in their entirety to support the determination, the design, and should the scheme be approved, the subsequent delivery of the proposal.

DEVELOPMENT IN PROXIMITY TO ROWRAH WASTEWATER TREATMENT WORKS

We would like to take this opportunity to highlight to the local planning authority and the applicant that the development is in proximity to Rowrah Wastewater Treatment Works. It is important to explain that the wastewater treatment processes may result in emissions including odour and noise. It is important to also add that the facility requires continued access. Water and sewerage companies have a legal right of access to their assets, which includes leaving appropriate vehicular access in order to maintain the operational requirements at our facilities. The access may be used by tankers and other large vehicles, so necessary provision to our facility must be left by the applicant for the lifetime of this development.

DRAINAGE

Please be aware of the condition we advised as part of 4/23/2200/001. There is an expectation for this to be addressed prior to any reserved matters application submission.

To discuss their drainage proposals the applicant should contact our Developer Services team by email at SewerAdoptions@uuplc.co.uk. Alternative ways to contact the team are detailed in the Appendix, Section 4.0 'Contacts'.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 4 no. properties.

No responses have been received as a result of this advertisement.

PLANNING POLICY

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013- 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards for New Residential Developments

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Emerging Copeland Local Plan

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

The policies relevant to this proposal include;

- Strategic Policy DS1PU - Presumption in favour of Sustainable Development
- Strategic Policy DS2PU - Reducing the impacts of development on Climate Change
- Strategic Policy DS3PU - Settlement Hierarchy
- Strategic Policy DS4PU - Settlement Boundaries
- Strategic Policy DS5PU - Planning Obligations
- Policy DS6PU - Design and Development Standards
- Policy DS7PU - Hard and Soft Landscaping
- Strategic Policy DS8PU - Reducing Flood Risk
- Policy DS9PU: Sustainable Drainage
- Strategic Policy H1PU - Improving the Housing Offer
- Strategic Policy H2PU - Housing Requirement
- Strategic Policy H3PU - Housing delivery
- Strategic Policy H4PU - Distribution of Housing
- Strategic Policy H5PU - Housing Allocations
- Policy H6PU - New Housing Development
- Strategic Policy N1PU - Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N2PU - Local Nature Recovery Networks
- Strategic Policy N3PU - Biodiversity Net Gain
- Strategic Policy N6PU - Landscape Protection
- Strategic Policy CO2PU – Priority for improving Transport networks within Copeland
- Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework 2023 (NPPF)

Strategic Housing Market Assessment 2023 (SHMA)

Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)

National Design Guide (NDG)

Cumbria Development Design Guide (CDDG)

ASSESSMENT

Principle of the development

The site is located outside of any designated settlement boundary, close to the village of Rowrah. Policy ST2 of the CS and Policy DS3PU of the ELP seek to restrict housing in the open countryside to that which has a proven and specific need for that location, including the provision of agricultural workers dwellings.

In order to establish whether or not there is an agricultural need for a further dwelling on this site, an agricultural appraisal was submitted in support of the application. This report sets out the following conclusions.

- It is felt that the business meets all the requirements for a dwelling to be situated at Squirrel Cottage;
- There is an overriding need for the essential and proper functioning of the holding that there is a dwelling present;
- This is justified by way of the following:
 1. It is essential that there is sufficient labour residing on the holding to provide the supervision of the business required to ensure that it meets current animal welfare legislation and health and safety law required by the Government and security for the site and it is not practical for the workforce to be living away from the holding.
 2. Security of the holding is critical in terms of criminal behaviour and also bio-security.

The agricultural assessment has been independently assessed by a specialist on behalf of Cumberland Council and concluded the following:

- There appears to be clear evidence of a firm intention and ability to operate the enterprises concerned.
- There is a clearly established existing functional need on these landholdings in relation to the care of the livestock although that functional need is currently limited due to the relatively low numbers of livestock.
- If your Council has concerns about the financial returns of the business you should request copies of the accounts or if these are not provided then a business plan showing the predicted income and expenditure over the next 3 years.
- A worker actively involved in the management of this unit should be resident on the holding on a temporary basis to meet the existing functional need and to allow for the livestock enterprises to be expanded and to increase the functional need and income.
- The existing residential accommodation to house that worker is a static caravan in poor condition.
- You should clarify the location of the proposed dwelling.
- If your Council is prepared to support this application then you should make it clear to the applicant that if he intends to apply for a permanent dwelling in due course then the enterprises should generate sufficient work for a full time worker and financially support that worker.

Due to the rural nature of the site and the justification for the location being the agricultural need, it is considered that the dwelling should be tied to the agricultural farm and must only be occupied by agricultural workers. Furthermore, the lodge type is considered to be a temporary housing solution and has been requested for a period of three years. This is considered to be acceptable and fair to serve the needs of the proposed occupants. These details can be controlled by way of appropriately worded planning conditions.

On this basis, it is considered that there is a justified need to house a farm worker on the site in accordance with the exceptions set out in both the NPPF and the Local Plan.

Scale, Layout and Design

The scale of the proposal is modest, being a lodge with a low eaves and overall roof height.

It is to be sited as close as practicable to the existing farm buildings in order that the impact on the landscape can be kept to a minimum and it will be viewed in context with the existing development. The footprint of the lodge is considered to be satisfactory with the internal layout providing suitable living space.

The materials to be used are typical of a lodge of this type and will be in keeping with the character of the area and its rural nature.

The lodge has been located within the site so that it does not directly face the existing dwelling known as Squirrel Cottage and is on the footprint of the existing static caravan. Squirrel cottage is currently utilised as a holiday let.

It is considered prudent to remove Permitted Development Rights in order to ensure that disproportionate extensions are not added to the lodge and in order to control the curtilage surrounding the property. A suitably worded planning condition is proposed.

Overall, it is considered that the proposal as submitted in accordance with Policies DM10 and DM12 of the Copeland Local Plan and Policies DS6PU and H6PU of the emerging Local Plan.

Landscaping

Although no details of landscaping have been submitted as part of the application this information can be requested and secured via a planning condition. Due to the rural nature of the proposal, the existing established boundaries between the site and the access road should be retained as far as practicable in order to ensure that there is some screening for the property and to help to protect longer views of the site. This can also be controlled with the use of an appropriately worded planning condition.

The provision of this information will ensure that the proposal complies with Policy DM26 of the CS and Policy N6PU of the ELP.

Access, Highways and Parking

The lodge will be accessed along a private road which serves the existing buildings and Squirrel Cottage only. It is considered that there is unlikely to be an increase in traffic from the siting of a lodge in this location as the occupant will live on site therefore reducing their work commute. The Highways Officer has raised no objections to the proposal, stating that the development is minor and therefore falls to the Local Planning Authority for assessment. There is unlikely to be a material increase in traffic accessing or egressing the site and the

	access point is existing and therefore considered to be acceptable. The plans include plenty of space within the site for the provision of parking and turning space. Overall, it is considered that the proposal complies with Policy DM22 of the CS and Policy CO7PU of the ELP and is therefore considered to be acceptable in highways terms. <u>Drainage</u> No details of drainage have been received as part of the application. A previous application submitted and subsequently withdrawn prompted a response from United Utilities to include a condition for a full drainage scheme to be submitted and approved as part of any reserved matters planning application. As this application includes full details of the lodge, a planning condition to approve this information prior to the first use of the lodge can be imposed to ensure that there is adequate drainage provision and to minimise the risk of flooding onsite or in the surrounding area. <u>Planning Balance and Conclusion</u> In accordance with Policy ST2 of the CS and Policy DS3PU of the ELP, the Applicant has demonstrated a clear justification for the provision of a dwelling within their farmland to ensure that they can tend to their livestock and provide security to the farm buildings. The Applicant does not have another dwelling or building suitable for conversion to serve their needs. The dwelling will be of an appropriate scale to serve the Applicants and there is adequate space for parking and turning on the site. There have been no objections to the proposal. The use of appropriately worded planning conditions will ensure that the outstanding information is submitted, prior to the first use of the dwelling. On balance this is considered to be an acceptable form of exceptional development which is justified in this location and therefore conforms with the guidance set out in the NPPF and the policies in the adopted and emerging Local Plans.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: 1. This permission will expire on 7th February 2027. The lodge must be removed from the site on or before this date and the land restored to its former condition. Reason The use hereby approved is not considered suitable as a permanent form of development in order to safeguard the amenities of the locality and in accordance with Policy SS3 of the Copeland Local Plan. 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Application form, received 26th October 2023;
 Site Location Plan, scale 1:1250, drawing number 002, received 26th October 2023;
 Proposed Site Plan, scale 1:500, drawing number 001, received 30th January 2024;
 Proposed Floor Plan, received 29th January 2024;
 Proposed Elevations, received 29th January 2024;
 Cross Section, received 29th January 2024;
 Agricultural Appraisal, written by PFK, received 26th October 2023;
 Planning Statement, written by SRE Associates, received 3rd January 2024.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Prior to Occupation/Siting Conditions

3. Prior to the first occupation of the lodge hereby approved, a full landscaping scheme must be submitted to and approved in writing by the Local Planning Authority. The landscaping must be installed in accordance with the approved plan and retained as such at all times thereafter.

Reason

To ensure mitigation against landscape impact, in accordance with Policy DM26 of the Copeland Local Plan.

4. Prior to the first occupation of the lodge hereby approved, a full drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The drainage must be installed in accordance with the approved plan and retained as such at all times thereafter.

Reason

To ensure mitigation against landscape impact, in accordance with Policy DM26 of the Copeland Local Plan.

5. Prior to the siting of the lodge hereby approved the existing static caravan must be permanently removed from the site.

Reason

To ensure that inappropriate development is not introduced onto the site in accordance with Policy ST1 and in order to maintain the visual amenity of the area in accordance with Policy DM10 of the Copeland Local Plan.

Other Conditions

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or

without modification) no external alterations or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity in accordance with Policy DM10 of the Copeland Local Plan.

7. The occupation of the lodge must be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The Local Planning Authority would not be prepared to grant planning permission for the erection of a dwelling on this site except for occupation by persons so employed in accordance with Policy ST2 of the Copeland Local Plan.

Informative

Prior to any work commencing on the watercourse the applicant should contact the Lead Local Flood Authority on tel: 01228 221331 or email: LFRM.consent@cumbria.gov.uk to confirm if an Ordinary Watercourse Flood Defence Consent is required. If it is confirmed that consent is required it should be noted that a fee of £50 will be required and that it can take up to two months to determine.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Sarah Papaleo

Date : 01/02/2024

Authorising Officer: N.J. Hayhurst

Date : 08/02/2024

Dedicated responses to:- N/A

Appendix B – The Copeland Local Plan 2013-2028



Copeland Local Plan 2013-2028

**Core Strategy and
Development Management Policies DPD**

Adopted December 2013



The Core Strategy

3.5 Spatial Development Strategy

- 3.5.1 The spatial development strategy will be crucial in guiding the Borough's planning up to 2028. The strategy seeks to direct development to the most sustainable locations – the main settlements - whilst indicating the scale of development that will be encouraged in other areas of the Borough.

Policy ST2 – Spatial Development Strategy

Development in the Borough should be distributed in accordance with the following principles:

- A Growth: providing for and facilitating growth in the local economy, particularly in the energy sector, accompanied by net growth in jobs and an associated increase in demand for housing and services
- B Concentration: development will be located in the Borough's settlements at an appropriate scale, within defined settlement boundaries, in accordance with the Borough's settlement hierarchy as set out in Figure 3.2:
 - i) Focussing the largest scale development and regeneration on Whitehaven and the important development opportunities there
 - ii) Supporting moderate levels of development reflecting the respective scale and functions of the smaller towns (Cleator Moor, Egremont and Millom), and contributing to the regeneration of the town centres
 - iii) Permitting appropriately scaled development in defined Local Centres which helps to sustain services and facilities for local communities
- C Restricting development outside the defined settlement boundaries to that which has a proven requirement for such a location, including:
 - i) Energy - nuclear: support for the development of new nuclear generating capacity at Moorside, and a willingness to discuss a potential Geological Disposal Facility for higher level radioactive waste in the Borough
 - ii) Energy - renewable: support for renewable energy generating proposals which best maximise renewable resources and which minimise environmental and amenity impacts
 - iii) Essential infrastructure to support energy development and other infrastructure that requires locating outside settlement limits
 - iv) Existing major employment locations, especially Westlakes Science and Technology Park, and the completion of defined allocated or safeguarded employment sites
 - v) Land uses characteristically located outside settlements, such as agriculture or forestry, farm diversification schemes or tourism activities requiring location in the countryside, or prisons

The Core Strategy

- vi) Housing that meets proven specific and local needs including provision for agricultural workers, replacement dwellings, replacement of residential caravans, affordable housing and the conversion of rural buildings to residential use
- D Proportions: the four towns are expected to accommodate approximately 80% of all (non-nuclear) development over the plan period
- E Safety: the potential impact of proposals within Safeguarding Zones for hazardous installations should be properly considered

3.5.2 The spatial implications of Policy ST2 are shown in Figure 3.1.

Development Management Policies

- D** They would not result in a loss of 50% or more of the undeveloped curtilage of the parent property

Proposals which involve listed buildings or properties within conservation areas must also meet the requirements of Policies ENV4 and DM27.

This policy does not apply to the alteration or extension of beach bungalows, which will not be permitted.

- 10.3.24 It should be noted that the Council will also be mindful of the criteria highlighted in DM12 when considering domestic extensions and alterations. Further guidance may be provided by a Supplementary Planning Document.

Residential Caravans, Mobile Homes, Chalets and Beach Bungalows

- 10.3.25 Copeland's extensive coastline and general attractiveness for low intensity tourism mean that it remains desirable to continue established approaches to deal with forms of residential development which can have a detrimental effect on the countryside and the surroundings of settlements.

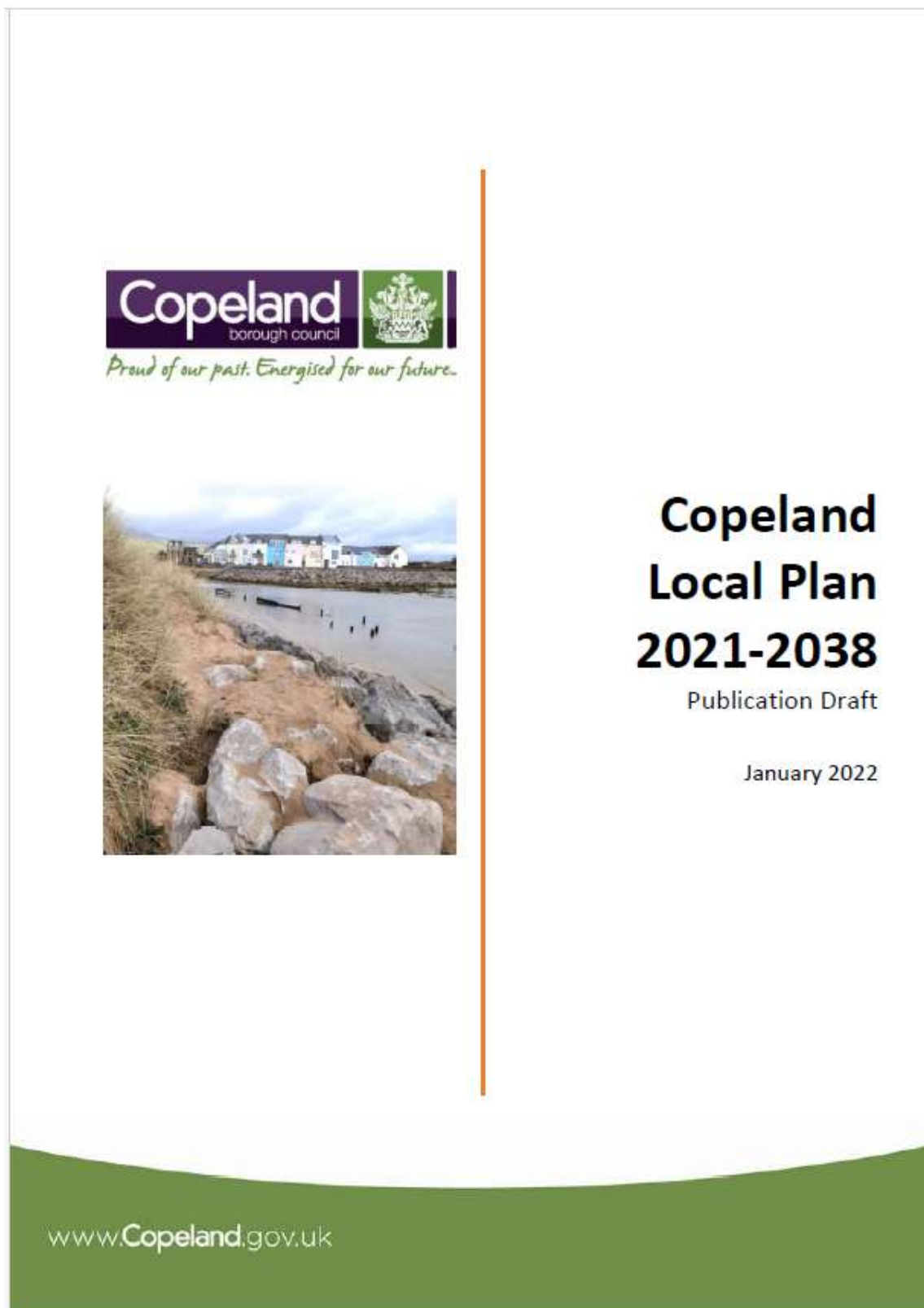
Policy DM19 – Residential Caravans, Mobile Homes, Chalets, and Beach Bungalows

The Council will not permit any new caravans, mobile homes, chalets, or beach bungalows for residential use, except where:

- A** Permanent residential chalets are intended to replace existing residential caravans on sites of more than 10 residential caravans
- B** Individual caravans or residential mobile homes are proposed for a dependant relative or as temporary accommodation to support the establishment of a new rural enterprise
- C** The repair or rebuilding of beach bungalows is of a scale and character matching the existing structure, and occupancy is restricted solely for holiday purposes

- 10.3.26 Whilst caravans and other non-permanent residences may be acceptable in certain circumstances, new beach bungalows are considered to be undesirable development in principle, by virtue of, firstly, their unsustainable location on the otherwise undeveloped coast and secondly, their potential vulnerability to the effects of coastal change. The Council accepts the existing groups of beach bungalows, between St Bees and Braystones, as a feature of that coast; but rebuilding them as larger or more permanent structures, or conversion to permanent dwellings, is contrary to the development strategy for the Borough as set out in the Core Strategy in ST2 and other policies. Repair or rebuilding on a 'like for like' basis may be permissible where safety and effective coastal management are not compromised, and must be accompanied by a planning obligation precluding use as a main or permanent residence.

Appendix C – The Emerging Copeland Local Plan 2021-2028



Copeland Local Plan 2021-2038: Publication Draft (January 2022)

- 5.5.5 Smaller sites on the edge of the settlement have also been considered, even though they are excluded from the SHLAA assessment due to their size²⁴, and the boundary has been amended to include such sites where they constitute an appropriate rounding off of the settlement or where they are required to provide access to a larger housing allocation.
- 5.5.6 The review identified that the boundaries of all settlements identified in the Core Strategy should be amended. It also identified a number of villages that weren't currently in the settlement hierarchy in the Core Strategy where a whole new boundary was required.
- 5.5.7 The proposed Settlement Boundaries are identified in Appendix B and on the Proposals Map. Boundaries are based on land ownership and/or clearly delineated curtilage edges or landscape features (both natural and unnatural) such as hedgerows or roads in most cases.
- 5.5.8 Policy DS4PU supports development in principle within the settlement boundaries where it accords with the Development Plan. It also allows for suitable windfall developments to take place on sites directly adjoining and well-connected to towns and Local Service Centres, subject to certain criteria. This provides flexibility, as sites within the boundaries may not always come forward as anticipated, whilst ensuring that isolated homes are avoided in line with national planning policy. It also ensures that important landscapes and the character of settlements are protected.
- 5.5.9 Development adjoining lower tier settlements will not be permitted, unless it falls within one of the exceptions listed in the open countryside section of the policy. This is in order to ensure that the needs of these smaller villages are met, without undermining the growth and regeneration aspirations in the towns and larger villages.

Strategic Policy DS4PU: Settlement Boundaries



Settlement boundaries are identified for all settlements in the hierarchy and are shown on the Local Plan Proposals Map. Development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

To ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundaries will only be accepted in the following cases:

- 1) Where the proposal is for housing and;

²⁴ Sites under 0.25ha are excluded from SHLAA assessment

Copeland Local Plan 2021-2038: Publication Draft (January 2022)

- a) the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre; and
- b) the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and
- c) the Council is unable to demonstrate a 5-year supply of deliverable housing sites; or
 - there has been previous under-delivery of housing against the requirement for 3 years or more or
 - the proposal is for a specific type of housing supported by Policies H15PU, H16PU or H17PU.

2) The proposal is for one of the following types of development and a proven need for an open countryside location has been demonstrated to the satisfaction of the council:

- Nuclear related developments
- Renewable energy proposals, including wind farms
- Essential infrastructure to support energy developments and other infrastructure
- Agricultural, forestry, farm diversification or tourism proposals which require such a location

Copeland Local Plan Publication Draft 2021

cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

- 13.17.7 Policy H16PU supports the erection of agricultural, forestry or other essential rural workers dwellings, where certain criteria is met. Consideration will also be given to the number of workers needed taking into account the scale and nature of enterprise, to ensure the size of dwelling being applied for is appropriate.
- 13.17.8 Where such dwellings are approved, occupancy will be retained for this purpose through the use of a planning condition.
- 13.17.9 Should there be an identified need for a rural worker to live in temporary accommodation on a site within the open countryside (e.g. to manage a newly established enterprise) this will be considered where it complies with Policy H21PU.

Policy H16PU: Essential Dwellings for Rural Workers



Housing will be permitted within the open countryside where it can be demonstrated that the dwelling is essential to allow a rural worker to live permanently at or near their place of work.

The development will only be permitted where:

- a) there is a clearly established existing functional need;
- b) the need relates to a full-time worker, or one who is primarily employed in a rural business and does not relate to a part-time requirement;
- c) the unit and the rural business concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- d) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- e) other planning requirements, e.g. in relation to access, or impact on landscape and biodiversity, are satisfied.

Appendix D – The Decision Notice for application reference 4/23/2308/0F1



Cumberland Council
Cumbria House
107-117 ~~Botchergate~~
Carlisle
Cumbria CA1 1RD
Telephone 0300 373 3730
cumberland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

SRE Associates
10 Parklands Drive
Cockermouth
CA13 0WX
FAO: Mr Simon Blacker

APPLICATION No: 4/23/2308/0F1

**CHANGE OF USE OF LAND FOR THE SITING OF A LODGE FOR AN
AGRICULTURAL WORKER
LAND AT SQUIRREL COTTAGE, ROWRAH**

Mr & Mrs M Watson

The above application dated 26/10/2023 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. This permission will expire on 7th February 2027. The lodge must be removed from the site on or before this date and the land restored to its former condition.

Reason

The use hereby approved is not considered suitable as a permanent form of development in order to safeguard the amenities of the locality and in accordance with Policy SS3 of the Copeland Local Plan.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Application form, received 26th October [2023](#);
Site Location Plan, scale 1:1250, drawing number 002, received 26th October [2023](#);
Proposed Site Plan, scale 1:500, drawing number 001, received 30th January [2024](#);
Proposed Floor Plan, received 29th January [2024](#);
Proposed Elevations, received 29th January [2024](#);
Cross Section, received 29th January [2024](#);
Agricultural Appraisal, written by PFK, received 26th October [2023](#);
Planning Statement, written by SRE Associates, received 3rd January 2024.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Prior to Occupation/Siting Conditions

3. Prior to the first occupation of the lodge hereby approved, a full landscaping scheme must be submitted to and approved in writing by the Local Planning Authority. The landscaping must be installed in accordance with the approved plan and ~~retained as such at all times~~ thereafter.

Reason

To ensure mitigation against landscape impact, in accordance with Policy DM26 of the Copeland Local Plan.

4. Prior to the first occupation of the lodge hereby approved, a full drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The drainage must be installed in accordance with the approved plan and ~~retained as such at all times~~ thereafter.

Reason

To ensure mitigation against landscape impact, in accordance with Policy DM26 of the Copeland Local Plan.

5. Prior to the siting of the lodge hereby approved the existing static caravan must be permanently removed from the site.

Reason

To ensure that inappropriate development is not introduced onto the site in accordance with Policy ST1 and ~~in order to~~ maintain the visual amenity of the area in accordance with Policy DM10 of the Copeland Local Plan.

Other Conditions

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, shall be carried out to the lodge nor shall any detached building, enclosure, domestic fuel containers, pool or ~~hardstandings~~, be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity in accordance with Policy DM10 of the Copeland Local Plan.

7. The occupation of the lodge must be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The Local Planning Authority would not be prepared to grant planning permission for the erection of a dwelling on this site except for occupation by persons so employed in accordance with Policy ST2 of the Copeland Local Plan.

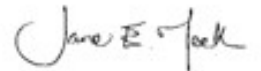
Informative

Prior to any work commencing on the watercourse the applicant should contact the Lead Local Flood Authority on tel: 01228 221331 or email: LFRM.consent@cumbria.gov.uk to confirm if an Ordinary Watercourse Flood Defence Consent is required. If it is confirmed that consent is required it should be noted that a fee of £50 will be required and that it can take up to two months to determine.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice



Jane Meek
Assistant Director
Thriving Place and Investment

07th February 2024

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

Appendix E – Agricultural Appraisal Assessment

SQUIRREL COTTAGE, ROWRAH CA26 3XS.

REPORT ON A PROPOSED TEMPORARY RURAL WORKER'S DWELLING.

PLANNING APPLICATION REFERENCE NUMBER 4/23/2308/0F1

AG & P Jackson
Chartered Surveyors & Land Agents
Applethwaite House
Wetheral Pasture
Carlisle
CA4 8HR

Mob 07528 463 679
alan@agp-jackson.co.uk

January 2024

SQUIRREL COTTAGE, ROWRAH CA26 3XS.

REPORT ON A PROPOSED TEMPORARY RURAL WORKER'S DWELLING.

1.0 Introduction

- 1.1 On the 17 November 2023, Cumberland Council asked if I would report on the need for a temporary rural worker's dwelling at Squirrel Cottage, Rowrah CA26 3XS.
- 1.2 On the 24 November 2023 I met with the applicant Mr Michael Watson and inspected the existing steading and the application site on the land at Squirrel Cottage, Rowrah.
- 1.3 I have delayed completing this report as some information was missing from the original application. I believe this was provided by the applicant's Agent over Christmas 2023 and I subsequently received this from the Case Officer on the 3 January 2024.
- 1.4 The following information has been provided by and on behalf of the applicant:-

Part 1 – The Existing Situation

2.0 Land Occupied

2.1 The applicant occupies the following areas of land:-

2.2 0.9 ha [2.23 acres] of owned land at Squirrel Cottage. I understand the applicant acquired this land about 23 years ago.

2.3 4.45 ha [11 acres] of owned land to the north of the land in paragraph 2.2 above. This land was purchased about 15 years ago.

2.4 The total area currently occupied is therefore 5.35 ha [13.23 acres].

2.5 Government support payments are not claimed on this land.

3.0 Livestock

The following livestock is currently kept on these land holdings:-

3.1 7 horses, 4 of which are brood mares although they have not produced foals for the last 2 years. 4 of the horses are kept on full or part livery.

3.2 3 donkeys.

3.3 5 Alpaca.

3.4 5 trail hounds

3.5 It is proposed to establish a cattery.

4.0 Cropping

4.1 All the land holdings are in grass for grazing the livestock.

4.2 Hay is taken off about 4 ha [10 acres] for winter feed for the livestock.
Contractors are used for making the hay.

5.0 Existing Farm/Equine Buildings/facilities

5.1 There is a range of small stables/buildings for housing the livestock and for storing hay and feedstuffs. Details of the various buildings are set out on the site plan [drawing number 201] submitted with the application.

5.2 There is a menage area for exercising the livestock.

6.0 Existing residential buildings

6.1 There is a static caravan on site which has 2 bedrooms.

- 6.2 There is a 3 bedroom timber lodge currently used for holiday lets. It is let all year round and is let through Cumbria Cottages etc. I understand this was approved in November 2020 under your reference 4/20/2358/0F1.

7.0 Labour and residence

- 7.1 Mr Michael Watson and his wife work on the land holdings looking after their livestock. They live in the static caravan on site.
- 7.2 They have part time help including a lady living locally who works 20 to 25 hours per week principally on the cleaning of the holiday lodge on change over days.
- 7.3 I understand the applicant caters for visits by members of the public and school parties to see the livestock on the land holdings

Part 2 – Guidance in Relation to Planning Requirements

8.0 National Planning Policy Framework, March 2012 and subsequent revisions

- 8.1 In March 2012 the National Planning Policy Framework was introduced. This Framework was last revised in December 2023.

- 8.2 Under “Supporting a prosperous rural economy” Paragraph 88 of the latest revision states planning policies and decisions should enable a) “the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings” and b) “the development and diversification of agricultural and other land-based rural businesses”
- 8.3 However, paragraph 84 of the latest revision advises that “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: “a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
- 8.4 I understand that Cumberland Council’s own policies will also apply to this application.
- 8.5 I understand the application is for the provision of temporary living accommodation for 3 years, to allow this rural business to continue to expand.
- 8.6 On the 22 July 2019 the Government issued some Planning Practice Guidance [PPG] [Paragraph: 010 Reference ID 67-010-20190722] entitled “How can the need for isolated homes in the countryside for essential rural workers be assessed?”

8.7 It states “in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.”

8.8 I have therefore considered a number of aspects to establish if there is an essential need for a worker to live at the application site on a temporary basis and in accordance with this guidance.

8.9 The NPPF makes no mention of temporary worker’s dwellings and as far as I am aware no specific PPG has been issued in relation to temporary worker’s dwellings. Under the old PPS7 there were a number of aspects to consider in relation to the need for a temporary worker’s dwelling.

8.10 These aspects were:-

9.0 Aspect (i) “There is clear evidence of a firm intention and ability to develop the enterprises concerned (significant investment in new farm/equine buildings is often a good indication of intentions)”

9.1 I understand that this rural business has been built up over a number of years with the introduction of horses, donkeys and alpaca. The applicant would therefore appear to have experience over a number of years of keeping such animals.

- 9.2 Although a number of the existing farm/equine buildings are showing signs of their age, they are still serviceable buildings. A menage for exercising the livestock has been constructed.
- 9.3 A timber lodge was provided around 2020/21 to provide holiday accommodation to increase income on the land holdings. Confirmed bookings appear to be reasonable.
- 9.4 I am therefore of the view that there is clear evidence of a firm intention and ability to develop the enterprises concerned

10.0 Aspect(ii) Functional need for a worker to be resident at the location

- 10.1 A functional need on a farm or equine property is the need for a worker to be on hand to deal with matters that need to be dealt with in a reasonable period of time. These are often matters that can occur outside of normal working hours eg animals giving birth or needing medical attention.
- 10.2 Those aspects from the PPG of July 2019 affecting paragraph 84 of the revised NPPF are:-
- 10.3 “Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or

agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);

- 10.4 In this instance there will be a need to care primarily for the horses, donkeys and alpaca on the land holdings on a daily basis. This will include regular feeding and cleaning out when livestock are housed.
- 10.5 There will be a need to check the livestock on a regular basis and ensure that any that need treatment are attended to in an appropriate time scale. It will be important to undertake such checks out side of normal working hours, usually late evening.
- 10.6 There will be instances where horses need immediate attention eg when they are suffering from colic or are cast in their stables.
- 10.7 There may be a number of foals born each year and the mares and foals will need close attention at these times.
- 10.8 Some of the horses kept on these land holdings belong to others. These owners entrust the care and security of their animals to the applicant and in my view are unlikely to place their horses at the premises unless there is a worker available on site to care for and ensure the security of those horses.

10.9 Therefore, I am satisfied that there is clear evidence of an existing functional need on these land holdings however it is limited at the present time due to the relatively small number of livestock on the site.

11.0 Aspect (iii) Clear evidence that the enterprise has been planned on a sound financial basis

11.1 The PPG of July 2019 refers to "The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;"

11.2 I am aware that the NPPF requires an essential need to be demonstrated but does not specifically require a financial test. It is my understanding that the decision in the judicial review of Northumberland County Council and Embleton Parish Council considered this aspect. [the judicial review applied to the planning consent granted for a temporary caravan] In essence that judgement said that the NPPF is less onerous than the requirements set out in the now superseded PPS7 in relation to financial aspects and the only test relates to that of essential need. I have therefore been of the view that a Planning Authority may have regard to the financial position in relation to sustainability but needs to decide how much weight to attach to those financial aspects.

11.3 However, the revised planning guidance introduced in July 2019 now requires an assessment of the degree to which there is confidence that the enterprise will remain viable for the foreseeable future. Therefore, in my view, there now needs

to be a greater consideration undertaken of the financial viability of the existing and proposed expanded enterprise.

11.4 As far as I am aware the applicant has not submitted any financial details of his business. At my site visit I asked Mr Watson if his accounts could be made available but he said they are not available.

11.5 From the information submitted with the application it appears that the business is progressing and that the timber lodge let for holiday purposes is generating significant income. However, if your Council has concerns about the financial situation, I advise that you should request copies of the accounts or a business plan for the next 3 years to show the likely predicted income and expenditure of the various enterprises. If these are produced I can let you have my views on them.

12.0 Aspect (iv) The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation in the area, which is suitable and available for occupation by the workers concerned.

12.1 Today it is only really necessary for specialist workers to live on or immediately adjacent to agricultural/equine holdings. This is to enable a worker to be available at most times, in case animals or processes require essential care at short notice and to deal quickly with emergencies that could otherwise cause serious loss of crop or products. In this case, losses of livestock in relation to the existing livestock enterprises.

12.2 I am therefore of the opinion that it is essential for 1 full time worker, actively involved in the management of this unit, to be resident on the land holdings, on a temporary basis, to meet the functional need.

12.3 At the present time the existing temporary caravan is utilized to house that worker but I understand that the caravan is in a poor state of repair.

12.4 If your Council is minded to support this application, I advise you should make it clear to the applicant that if he proposes to apply for consent for a permanent dwelling towards the end of any temporary period, that by then, the business should generate sufficient work to justify a full time worker and be capable of financially supporting a full time worker.

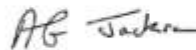
12.5 In my view clarity needs to be achieved on the location of the proposed temporary dwelling. The planning statement states at paragraph 3.3 that the proposed dwelling is to be located on the site of the existing caravan which is currently used as living accommodation on the site. However, the proposed site plan [drawing number 201] shows the location of the proposed lodge on the site of the existing lodge used as a holiday let. It would appear that this site plan was used when the planning application for the existing lodge was submitted. [it is dated 2019]

13.0 Conclusions

I therefore conclude by advising as follows:-

- 13.1 There appears to be clear evidence of a firm intention and ability to operate the enterprises concerned.
- 13.2 There is a clearly established existing functional need on these landholdings in relation to the care of the livestock although that functional need is currently limited due to the relatively low numbers of livestock.
- 13.3 If your Council has concerns about the financial returns of the business you should request copies of the accounts or if these are not provided then a business plan showing the predicted income and expenditure over the next 3 years.
- 13.4 A worker actively involved in the management of this unit should be resident on the holding on a temporary basis to meet the existing functional need and to allow for the livestock enterprises to be expanded and to increase the functional need and income.
- 13.5 The existing residential accommodation to house that worker is a static caravan in poor condition.
- 13.6 You should clarify the location of the proposed dwelling.
- 13.7 If your Council is prepared to support this application then you should make it clear to the applicant that if he intends to apply for a permanent dwelling in due

course then the enterprises should generate sufficient work for a full time worker and financially support that worker.



A G Jackson BSc FRICS FAAV

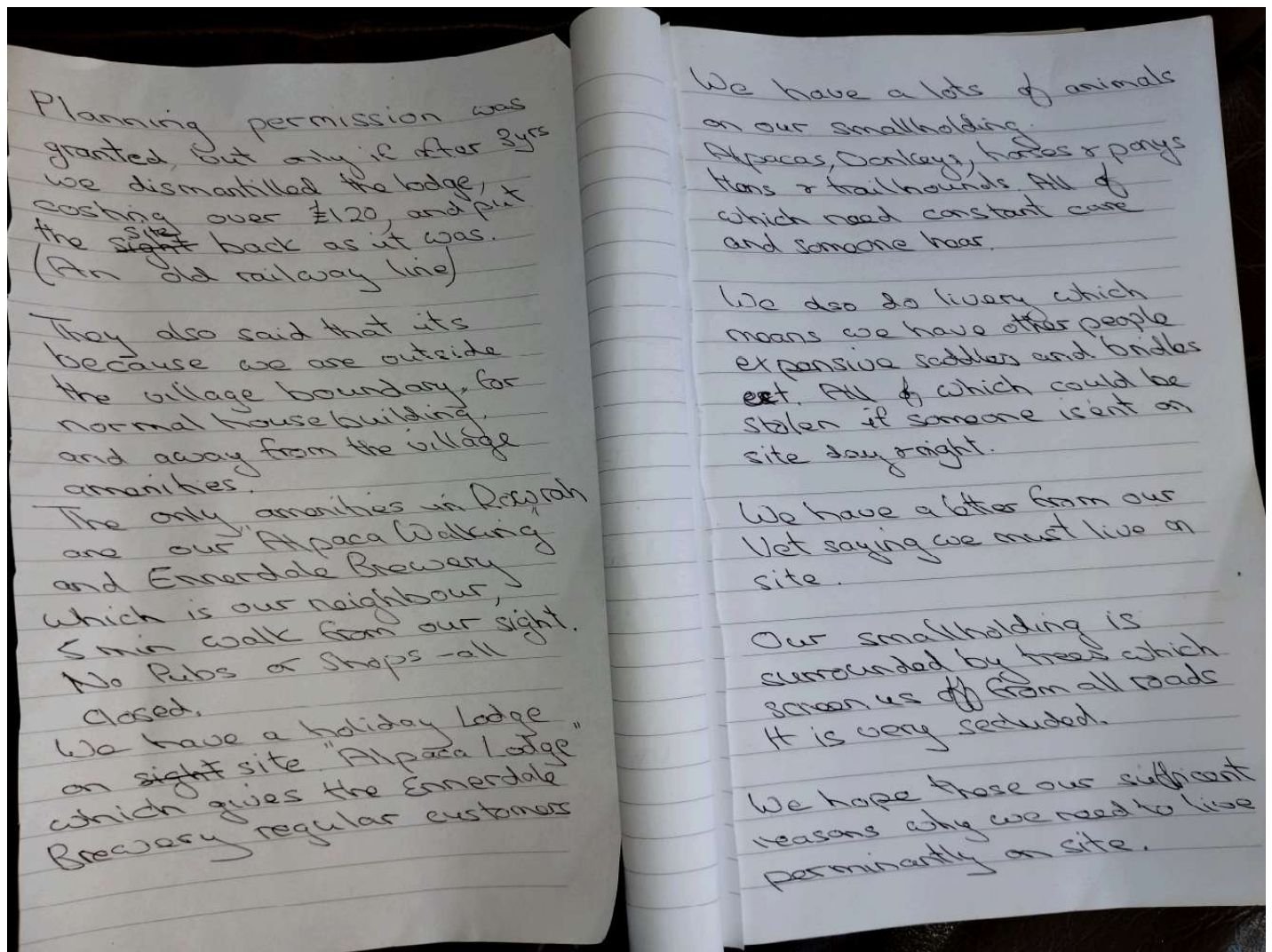
10 January 2024

Disclaimer

The information in this report is based on evidence provided by the applicant or his Agent. In particular the details relating to land areas and livestock numbers are the applicant's figures and have not been verified.

In accordance with the recommendations of the RICS, we would state that the report is provided solely for the purpose stated. It is confidential to and for the use only of the party to whom it is addressed only, and no responsibility is accepted to any third party for the whole or any part of its contents. Any such parties rely upon the report at their own risk. Neither the whole nor any part of the report or any reference to it may be included now, or at any time in the future, in any published document, circular or statement, nor published, referred to or used in any way without our written approval of the form and context in which it may appear.

Appendix F – Appellant's Statement of Common Ground



Hi,
We feel that because there are four other houses within 100yds of our property.
We have a perminant holiday lodge, 20 yards from where we'd like our lodge, with out any time limits.

The site is within the village of Raurah and is a suitable place for a new lodge or living accomadion, eg. house.

We have had a residential caravan on the site for the last four years.

We have been given planning permissio for a lodge, but only for three years and then we have to remove it.

So we feel we should be aloud to live here perminantly

Hope you can help us with the matter, thank you

Yours sincerely

Michael & Sarah Watson

Appendix G - Appellant's Planning Statement

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Planning Statement – Land at Squirrel Cottage Chapel Row, Rowrah, Frizington

Proposal: New agricultural dwelling



Mr & Mrs M Watson

December 2023

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1.0 Introduction

- 1.1 This planning statement has been prepared on behalf of the applicant in support of a planning application for a new agricultural dwelling.
- 1.2 The application is submitted in outline with all matters reserved. The purpose of this statement is to set out the planning case in support of the development, and it should be read in conjunction with the plans submitted.
- 1.3 Section 2 of this Statement will set out the site's context, Section 3 covers the proposed development, Section 4 relates to the planning history of the site and surroundings, Section 5 will set out the planning policy context against which the application must be considered and undertakes a planning assessment of the proposed development and section 6 will draw together the conclusions.

2.0 The Site

- 2.1 The application relates to a site within the land and buildings associated with Squirrel Cottage, Rowrah. The application site adjoins a holiday lodge to the northeast (which is part of the farmyard), surfaced yard/access area to the south and east, and further land and building owned by the applicant to the west.
- 2.2 Outside of the landowners site, the dwellings on Chapel Row are to the north and east, the High Leys residential development is further to the south east and west is commercial development, consisting of the Ennerdale Brewery Tap and Bistro, Birketts Fencing and Bogmats, and the base for a commercial coach business.
- 2.2 The site is in use as a farm type smallholding, for which the applicant is currently building up as a business. They have additional land to the north of Chapel Row for farming, and a caravan on the application site. The topography of the land falls towards the north and west of this site due to the positioning of former railway lines in the area, and it is contained by hedgerows and post and wire fences to most of the farm boundaries. The small holding extends to a total site of approximately 18 acres.
- 2.3 The application site is located close to the Arlecdon/Rowrah settlement boundary (220m away) and is therefore close to the local amenities in the villages consisting of the Primary School, church, playpark, village hall, sports pitches and a pub and a restaurant. Whitehaven is the Main Service Centre in the Borough as detailed in the Copeland Local Plan and is 5 miles to the west of the site.
- 2.4 The A5086 which runs through Copeland can be joined 250m from the site and provides easy access to both the A595 to Sellafield and Whitehaven and continues north towards Cockermouth, and Cleator Moor to the west. The A595 links to the A66, 5 miles north of the site which connects to Penrith and Junction 40 of the M6 to the east.
- 2.5 In summary therefore, the site is situated near a long-established residential area that is within reach of a range of facilities that the Borough can offer.

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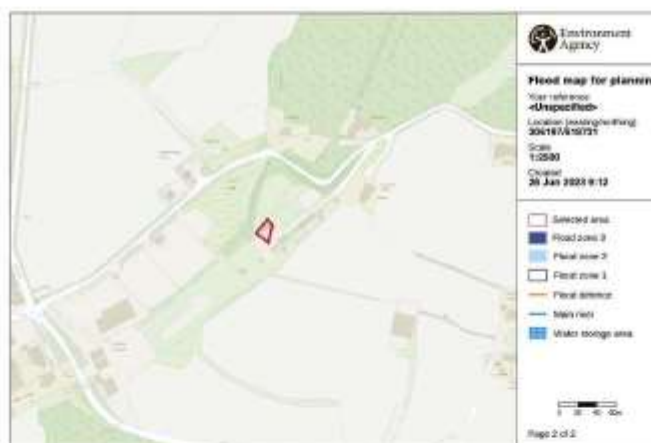


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- 2.6 There are no Conservation Areas, Listed Buildings or Tree Preservation Order's on or directly adjacent to the site as detailed on the Copeland GIS map below:



- 2.7 The site is located in an area that the Environment Agency Flood Map for Planning has noted as Flood Zone 1, and as such have a low probability of flooding. A watercourse is noted as running to the north and west of the site. A copy of the Environment Agency's Flood Map is included below.



3.0 The Proposed Development

- 3.1 The application seeks planning permission for the placement of a lodge type residential unit for occupation in association with the small-holding located on the site.
- 3.2 The proposed lodge would utilise the existing access to Squirrel Cototage from Chapel Row, which is the road between Rowrah and the A5086, which currently serves a number of

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- residential dwellings along the road, a couple of business uses consisting of the Ennerdale Brewery Tap and Bistro, Pickthalls Coach hire yard, and also Birketts Fencing and Bogmats.
- 3.3 The development is in a location currently occupied by a caravan, which is the currently residential property associated with the site. The caravan will be removed prior to the placement of the lodge.
- 3.4 The layout of the proposed development would take a similar build form to the existing caravan on the site on the site, and also the holiday cabin on the site, having front and rear elevations to the south and north respectively, with garden land to the north and parking and turning area to the south nearer to the access and facing into the farm yard area.
- 3.5 The application is for a temporary period of up to three years to enable the continuation of the business on the site, and to hopefully in the future become fully profitable in the future to allow for the construction of a new dwelling. Currently this is not a viable option due to the national financial situation, leading to higher interest rates, and more importantly a lack of available mortgages and especially self-build mortgages which are currently very difficult to find.
- 3.6 Given the above, the lodge is considered a suitable alternative for the caravan, which is old and in need of replacement. In addition, it will hopefully have a suitable resale value when removed from the site.
- 3.7 The application site is considered well related to other buildings and is not an isolated development. It adjoins other development either in relation to the farm, the commercial development or other residential dwellings. It is well connected to the road network, well connected to the village of Rowrah, and it is considered that the development of the site in the proposed form is possible without having any adverse impact on residential amenity to the surrounding properties.

4.0 Planning history

- 4.1 The following planning applications are all recent submissions at the site:
- 4/17/2226/0F1– Temporary consent for transportable log home – Land near the Willows, Chapel Row, Rowrah – Withdrawn
 - 4/20/2081/0F1 - retention of existing buildings and change of use of parcel of agricultural land to menage (retrospective) – Land adjacent to The Willows, Rowrah - Approved
 - 4/20/2329/0F1– The material change of use of land for the siting of a residential caravan (retrospective) – Land at The Willows, Rowrah – Approved
 - 4/20/2358/0F1 - change of use of land for the siting of one holiday lodge – Land at The Willows, Chapel Row, Rowrah – Approved

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5.0 Planning Policy and its application to the proposed development

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The Local Development Plan consists of policies within the Core Strategy and Development Management Policies DPD (December 2013). The policies in the following paragraphs are considered relevant to the proposed development.
- 5.3 The Local Plan sets out a long-term spatial vision and strategic objectives to support Copeland's vision which is "Working to improve lives, communities and the prosperity of Copeland". Although it was adopted before the updated NPPF (2021) it was adopted after the first NPPF that was published in March 2012 and therefore closely follows the principles of sustainable development, as defined by national policy and delivering sustainable housing in accordance with that policy.

Strategic Policies

- 5.4 **Policy ST1** of the core strategy sets out the fundamental principles that will achieve sustainable development. Amongst other things it seeks to ensure that development created a residential offer which meets the needs and aspirations of the Boroughs housing markers and aims to focus housing on previously developed land rather than greenfield sites.
- 5.5 **Policy ST2** sets a spatial development strategy whereby development should be guided to the Principal settlement and other service centres to help sustain services and facilities.
- 5.6 The above are the strategic policies with particular relevance to residential housing sites.
- 5.7 **Policy SS1** seeks to improve the housing offer of the borough by, amongst other things, by allowing housing sites to meet local needs in locations attractive to house builders and enhancing the general surrounding residential environment of the borough.
- 5.8 **Policy SS3** requires housing development proposals to demonstrate how the proposal helps to deliver a range and choice of good quality and affordable homes for everyone. This is assessed by how well a proposal meets the identified needs and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment (SHMA). The aim of the policy is therefore to: -
- Create a more balanced mix of housing types and tenure within that market area, in line with the evidence provided in the SHMA;
 - Include a proportion of affordable housing which makes the maximum contribution (consistent with maintaining the viability of the development) to meeting identified needs in that market area.
- 5.9 **Policy ENV1** sets out an approach to ensure that new build development is not prejudiced by flood risk, by permitting new build on sites outside areas at risk of flooding, and ensuring that new development does not contribute to increased surface water run-off through measures such as Sustainable Drainage Systems.
- 5.10 The proposed development is located within Flood Zone 1 and is therefore at the lowest risk of flooding.

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- 5.11 **Policy ENV3** seek to ensure that new development will protect and enhance biodiversity and geodiversity.
- 5.12 There are no designations or information available which suggests that the site is subject to any biodiversity interest. In addition, there is already a caravan on the proposed site.
- 5.13 **Policy ENV5** relates to the protection and enhancement of the Boroughs landscapes. It seeks to ensure that landscapes are protected from inappropriate change through unsympathetic development.
- 5.14 It is considered that the proposed development, being of small scale, adjoining existing dwellings and other buildings, and being on the site of an existing residential caravan, is not an inappropriate change to the landscape.

Development Management Policies

Design

- 5.15 **Policy DM10** states the Council will expect high standard of design and the fostering of 'quality places' and development proposals will be required to: -
- Respond positively to the character of the site and the immediate and wider setting and enhance local distinctiveness through an appropriate size and arrangement of development plots, the appropriate scale and massing of houses;
 - Incorporate existing features of interest including local vernacular styles and building materials;
 - Address vulnerability to and fear of crime and anti-social behaviour by ensuring that the design, location and layout of all new development creates clear distinctions between public and private spaces, overlooked routes and spaces within and on the edges of development;
 - Create and maintain reasonable standards of general amenity.
- 5.16 It is considered that the as the application is nearly a replacement on a like for like basis (albeit that the lodge is bigger than the caravan) that the site is appropriate in form and location, and also the size is at an appropriate scale for the site and context of the adjacent dwellings and buildings.

Residential Amenity

- 5.17 **Policy DM12** requires new build residential properties to have: -
- a separation distance of at least 21 metres between directly facing elevations of dwellings containing windows of habitable rooms
 - a separation of at least 12 metres between directly facing elevations of dwellings containing windows of habitable rooms and a gable or windowless elevation
- 5.18 It is noted that the layout confirms that the proposed dwelling would as detailed meet all of the above separation distances in relation to the adjacent property outside of the site.

Drainage and Flood Risk

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- 5.19 **Policy DM24** states where a proposed development is likely to be at risk from flooding or increases risk of flooding elsewhere, a Flood Risk Assessment (FRA) will be required to be submitted as part of the planning application. Development will not be permitted where it is found that there is an unacceptable risk of flooding; or the development would increase the risk of flooding elsewhere.
- 5.20 As mentioned above, the development area is located within a Flood Zone 1 in which the NPPF recognises that all uses types are therefore appropriate including residential new build.

Access and Transport

- 5.21 **Policy DM12** requires housing development to provide a car parking provision in accordance with adopted residential parking standards. Cumbria Highways have provided a Cumbria Development Design Guide but there are no adopted parking standards. The guidance provides a suggested level of parking for housing development.
- 5.22 The size of the proposed site can accommodate sufficient parking for the proposed dwelling. It is therefore considered that the proposed layout meets this criterion of Policy DM12.
- 5.23 **Policy DM22** requires development proposals to be accessible to all users by providing convenient access into and through the site for pedestrians, cyclists and disabled people, access for emergency and service vehicles, meeting adopted car parking standards which reflect the needs of the Borough in its rural context. Where necessary the potential transport implications of development will be required to be supported by a Transport Assessment and a Travel Plan to manage any significant transport implications.
- 5.24 The proposed development provides a safe, functional and inclusive access allowing good sustainability to the facilities in Rowrah/Arlecdon and allow sustainable transport links across the wider Borough. Rowrah is connected to the wider area by two bus routes, between Frizington and Cockermouth, and Frizington and Workington. The proposal therefore meets the aims of local plan policies DM12 and DM22.

Ecology and Trees

- 5.25 **Policy DM25** states that all development proposals should protect the biodiversity value of land and buildings minimise fragmentation of habitats. As the entire site already includes grass land, an access road and a residential caravan, it is considered that the biodiversity value of the site will not change.
- 5.26 **Policy DM28** requires development proposals which are likely to affect any trees within the Borough will be required to include an arboriculture assessment as to whether any of those trees are worthy of retention and protection by means of a Tree Preservation Order. No trees will be removed on the site for the development to take place.
- 5.27 **Policy DM19** is regarding Residential Caravans, Mobile homes Chalets and Beach Bungalows. This states as follows:

'The Council will not permit any new caravans, mobile homes, chalets, or beach bungalows for residential use, except where:

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A Permanent residential chalets are intended to replace existing residential caravans on sites of more than 10 residential caravans

B Individual caravans or residential mobile homes are proposed for a dependant relative or as temporary accommodation to support the establishment of a new rural enterprise

C The repair or rebuilding of beach bungalows is of a scale and character matching the existing structure, and occupancy is restricted solely for holiday purposes.'

- 5.28 The proposed development fits with the above policy under Criterion B, given that it is for the establishment of a rural enterprise. The lodge unit is considered an appropriate scale to the size, character and role of both Rowrah and Chapel Row itself. The application proposes the temporary siting of the unit occupied in association with the small-holding which is run by the applicants. The lodge is of a standard size, and is no larger than the existing agricultural sheds or buildings on the site.

The settlements of Arlecdon and Rowrah are designated as a Local Centre within the adopted Core Strategy. The application site is considered to be located beyond the defined settlement boundaries, which are now acknowledged as out of date., but does in our view represent a contiguous location to the settlement. Access to the site is via an established existing access, and it is not considered that the proposal would result in any impact upon the capacity or safety of the highway network. The proposed development of a single replacement unit is not considered to result in any individual or cumulative impacts on local infrastructure capacity or landscape character.

- 5.29 The proposed development is for a temporary building, as such the use of the land is the primary consideration within the application. The lodge is screened from wider public view and is located in close proximity to a range of existing buildings and structures within the site. The site is not considered to be located in open countryside and as such would not result in a significant intrusion nor would the proposed development result in the merging of two settlements.

Principle – National Planning Policy Framework ("NPPF") (as revised July 2021)

- 5.30 The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF states that sustainable development has three objectives social, economic and environmental listed within Paragraph 8.
- 5.31 The social and economic are as follows:
- "a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. "*

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It is noted in the above that a central aim of the NPPF is to ensure that the right type of land is available in the right areas, to ensure that the correct housing is available to meet the needs of present generations.

- 5.32 Paragraph 11 covers the issue of the application of the presumption in favour of sustainable development.

"For decision-taking this means:

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- 5.33 Paragraph 104 is regarding promoting sustainable transport, which is relevant to this proposal. *"Opportunities to promote walking, cycling and public transport use are identified and pursued."* This continues in paragraph 103 stating *"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."* As previously noted, this site is located on the edge of a sustainable settlement in the borough, within an existing group of buildings. Rowrah/Arlecdon benefits from services such as a school, church, pub, Village Hall, employment sites and Post Office. In addition, the site is within 250m of a bus stop which provides services to Frizington, Workington and Cockermouth meaning that residents in this location can sustainably travel across the Borough.
- 5.34 Paragraph 79 states: *"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."*
- 5.35 The retention of the residential unit in this location helps to enhance and maintain the vitality of the community in Rowrah and Arlecdon. While technically being two separate villages, they are joined together, and overall form a highly sustainable location in terms of the settlement hierarchy within Copeland. The plot is even adjacent to some significant employment sites, in terms of the Local Centre level of settlements.
- 5.36 Paragraph 80 is regarding the development of isolated homes in the countryside, and how planning policies and decisions should avoid this, with certain exceptions. One of the exceptions is as follows:

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'There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.'

- 5.37 The applicants are seeking a temporary permission for a lodge unit to provide residential accommodation for an existing enterprise. The planning policies that are relevant to dwellings for rural and agricultural workers mostly discuss permanent dwellings and the series of tests that these are typically required to meet. However, this application relates to a fairly newly established rural enterprise which due to its nature, requires an on-site presence to enable its efficient operation.
- 5.38 However it is also considered that this is not an isolated development. There are existing structures on the site and next to another dwelling, so therefore is not isolated in the site context. Outside of the site it is only 200m away from the settlement boundary of the Copeland Local Plan for Rowrah. Finally, it is 250m from the north/south bus stops that will provide sustainable transport to all major nearby settlements, including Whitehaven and Workington.
- 5.39 Both local and national policies support the growth and expansion of rural businesses, particularly agriculture and farm diversification. The applicants are keen to continue to grow the small holding into a viable rural business, and the on-site presence is vital to that. Unfortunately, current conditions do not allow for the construction of a permanent agricultural dwelling on the site.

6.0 Conclusion

- 6.1 The application seeks planning permission for a lodge unit on the site as a replacement for a static caravan for residential use in association with the small-holding located at Squirrel Cottage.
- 6.2 The application site is located on Chapel Row to the east of the village and is in close proximity to a mix of commercial uses, including the Ennerdale Brewery, Birkett's Fencing and Timber yard, a bus depot, and a sewage pumping station.
- 6.3 The applicants are keen to continue to grow the small-holding business on the site.
- 6.4 It is considered that any impact on anyone outside of the site has been minimised by the proposed location within the site.
- 6.5 It is contended therefore that the proposed development is acceptable and is in accordance with both national and local planning policy, and therefore should be approved.

Simon Blacker MRTPI

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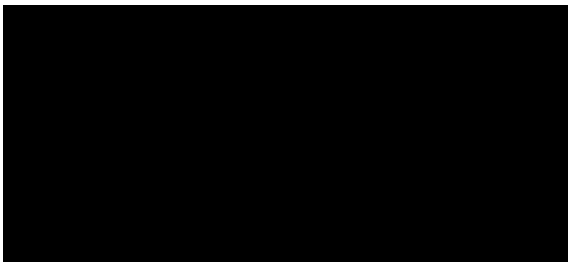


SIGNED STATEMENT

I can confirm that this statement of common ground has been agreed.

On behalf of the Council

Sarah Papaleo BSc MA MRTPI



The Appellant

Sarah J. Watson.

