

Date of Committee: 14 March 2018

Planning Application No: 18/0669 **Date Received:** 9 August 2018

OS Grid Ref: NY 349623, 544177 **Expiry Date:** 14 March 2018

Parish: Lazonby **Ward:** Lazonby

Application Type: Change of use

Proposal: Change of use of land to holiday lodge park with conversion of shed to ancillary visitor administration hub

Location: Nord Vue Farm, Armathwaite, CA4 9TN

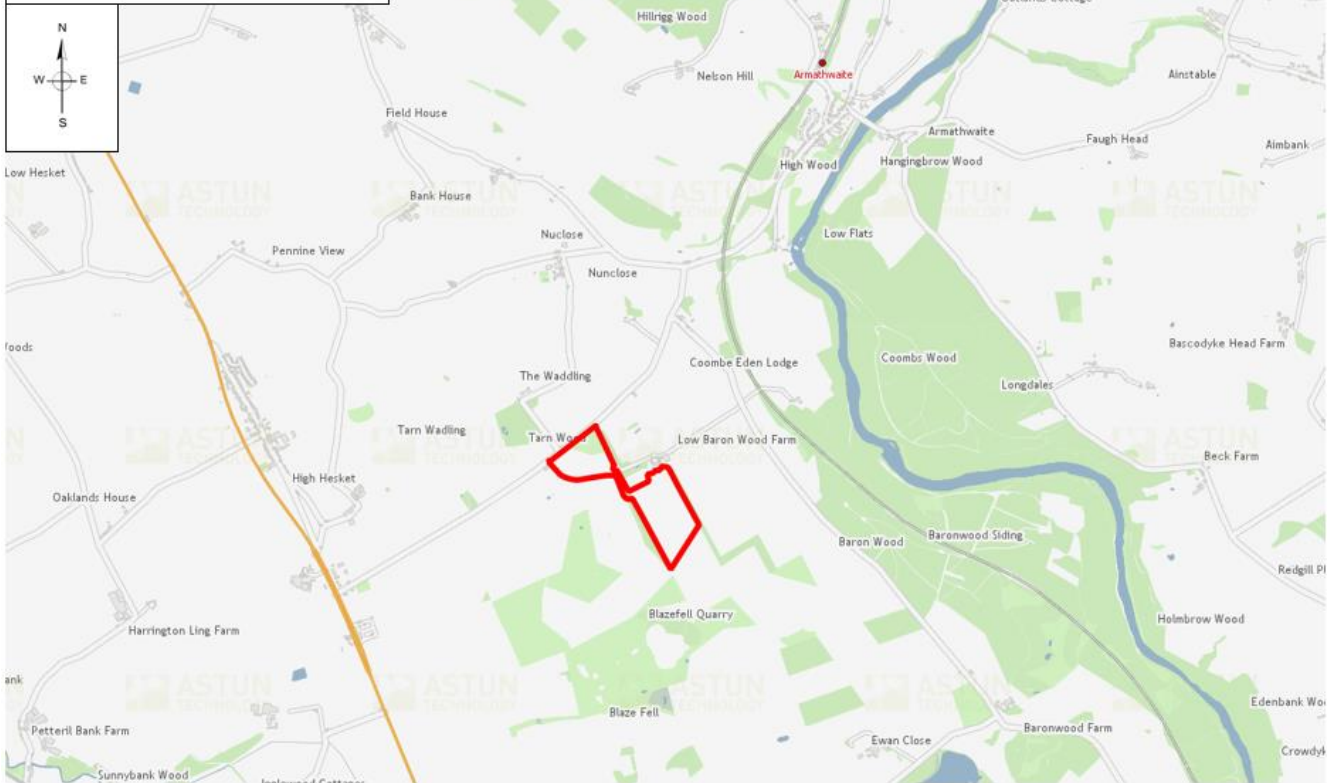
Applicant: Mr C Lowther

Agent: Mr A Willison-Holt

Case Officer: Nicholas Unwin

Reason for Referral: The application is a major planning application.





1. Recommendation

It is recommended that planning permission be granted subject to the following conditions:

Time Limit for Commencement

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In order to comply with the provisions of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The development hereby granted shall be carried out in accordance with the drawings hereby approved:
 - i. Application Form. Dated 9 August 2018.
 - ii. Design and Access Statement. Dated August 2018.
 - iii. Site Location Plan (1807-PL-101 A). Dated June 2017.
 - iv. Proposed Plans (1807-PL-301 B). Dated May 2018.
 - v. Proposed elevations (1807-PL-501 B). Dated May 2018.
 - vi. Location Plan (1807-PL-100 A). Dated June 2017.
 - vii. Foul Drainage Strategy. Dated 30 July 2018.
 - viii. Treatment Plant details. Dated 19 January 2012.
 - viii. Location Site Plan (1807-PL-102 A). Dated June 2017.

- viii. Nord Vue Access Road Details (1807-PL-100 B). Dated June 2017.
- viii. Site Plan (1807-PL-200 L). Dated April 2018.
- viii. Proposed Site Sections (1807-PL-400 E). Dated April 2018.
- viii. Additional Statement. Dated January 2019.

Reason: To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.

Prior to Commencement

3. Notwithstanding the submitted plans, prior to the commencement of any development, a surface water drainage scheme informed by evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. No surface water shall discharge to the public sewerage system either directly or indirectly. The development shall then be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. The condition is considered necessary to be complied with pre-commencement as compliance with the requirements of the condition at a later time could result in unacceptable harm contrary to the policies of the Development Plan.

4. Prior to the commencement of development, full details of the scale, appearance and materials of the proposed 'caravans' shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, development is to be undertaken in accordance with the approved plans.

Reason: To safeguard the amenity of the area.

Ongoing

5. No more than 20 'caravans' as defined with the Caravan Sites Act 1968 or any subsequent replacement legislation, shall be sited at any one time on land edged red on the submitted 'Location Plan' (1807-PL-102 A), dated June 2017' and shall only be sited as shown on the submitted 'Site Plan' (1807-PL-200 L), dated April 2018.

Reason: To safeguard the amenity of the area.

6. The 20 'caravans' hereby approved shall be used for holiday use only and shall not be used as the sole or principle residence by any one person.

Reason: The site is one which does not accord with the Council's regional or national guidance in respect of the spatial distribution of residential accommodation for housing.

7. The 'illuminated bollards' within the submitted 'Site Plan' (1807-PL-200 L), dated April 2018 shall be limited to:

- Less than 60w bulbs
- Less than 600 lumens
- Within the 3000-4000 Kelvin range (light 'colour')
- A Maximum height of light source of less than 1200mm on non-reflective

surfaces.

Reason: To safeguard the amenity of the area.

Prior to Occupation

8. Prior to the occupation of any of the 'caravans' hereby approved, the landscaping detailed within the submitted 'Site Plan' (1807-PL-200 L), dated April 2018 shall be implemented in full and maintained. Any trees or other plants which die or are removed within the first 5 years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To safeguard the amenity of the area.

2. Proposal and Site Description

2.1 Proposal

- 2.1.1 This proposal is for the change of use of land at Nord Vue Farm to a holiday lodge park with the conversion of an existing shed to an ancillary visitor administration hub.
- 2.1.2 The proposal comprises 20 'eco-lodges' of a timber construction meeting the legal definition of a caravan. These are located within the Southern section of the site. There will be parking spaces at each individual pitch. There will additionally be a new access created connecting to an existing access along the Western boundary of the Northern section of the site accessing the C3027 road adjacent to the Eastern boundary of the United Utilities Tarn Wood Water Treatment Works.
- 2.1.3 There is an existing shed with an approximate footprint of 27.6 x 20 metres, 5 metres to the eaves and 7.5 metres at its highest point. The shed is currently used in association with the Livery business and is constructed of concrete lower and Yorkshire boarding upper walls with a corrugated metal roof. There are minimal changes to the exterior proposed with the Southern section to be used for shower and toilet facilities, laundry, reception and office. The Northern section of the shed is to continue to be used for the storage of horse equipment.
- 2.1.4 There are other communal visitor amenities planned, specifically 'Animal Enclosures' (rare breeds) and woodland picnic area.
- 2.1.5 Extensive landscaping and planting is planned throughout the entirety of the proposed site including wider strategic tree planting at the southern end of the proposed site on the higher ground (landscape contextual and biodiversity enhancement linking existing wooded cover/habitats corridors); and, on the land between the C3027 road and the existing main access road (landscape-visual mitigation).
- 2.1.6 A lighting plan has been submitted with the application for illuminated bollards along walkways to International Dark-sky Association standards.

2.2 Site Description

- 2.2.1 The proposed site is approximately 16ha and forms two sections connected by a narrow strip of land approximately 20 metres in width. The North-West section is adjacent to the C3027 road to the North-West and access for Nord Vue Farm (and row of mature trees) to the North-East. The North-West section extends approximately 270 metres South-East from the C3027 road and comprises open agricultural land. The South-East section of the proposed site is adjacent to Nord Vue Farm to the North and currently comprised open agricultural land which slopes upwards to the South.

- 2.2.2 The North-West section of the proposed site is adjacent to the C3027 road to the North-West, separated by a drystone wall and grass verge. The Eastern North-West site boundary is adjacent to the access road for Nord Vue Farm, separated by a drystone wall and row of large mature trees. The South and West boundaries of the North-West section are bordered by open agricultural land.
- 2.2.3 The South-East section of the proposed site is adjacent to Nord Vue Farm to the North and open agricultural land to the East, South and West. The Eastern boundary of the South-East section of the site is bordered by a mature hedgerow and mature trees. The Southern boundary is bordered by sporadic mature trees and the Eastern boundary is bordered by a continuous row of dense mature trees.
- 2.2.4 The closest dwelling to the proposed site is Nord Vue lodge, adjacent to the North-East site boundary and the C3027 road. The next closest dwelling is Eden Hill approximately 260 metres to the East of the proposed site and then a cluster of three dwellings approximately 340 metres to the North. The proposed site is approximately 1.35km South-East of High Hesket and 1.6km South-West of Armathwaite. The proposed site is approximately 1.28km East of the A6.

3. Consultees

3.1 Statutory Consultees

Consultee	Response
Highway Authority	<p>No objection, response received 8 February 2019 <i>“The County Council would have no objection to the above planning application for the site and has the following comments in relation of interests of the Council.</i></p> <p><u>Highways and Transport</u> <i>It is noted that the application has reduced the number of units from 25 to 20 Holiday Lodges on a 5.3hectre site, and that the applicant intends to gain access to the site from the adopted highway form the existing access arrangement which supplies access to the farm and associated activities. The current access arrangement has been designed and constructed to a standard suitable for the traffic generated by such development.</i></p> <p><u>Conclusion</u> <i>Cumbria County Council as both the highway authority and Lead Local Flood Authority has no objection to the proposal to create holiday lodges, however would seek the inclusion of a drainage condition to support the utilisation of infiltration drainage techniques on the site.”</i></p>
Lead Local Flood Authority	<p>No objection, response received 8 February 2019 <u>Drainage & Lead Local Flood Authority</u> <i>The applicant has provided a Flood Risk assessment which identifies that the site is located in Flood Zone 1 and that the site is not at Risk of flooding from the river</i></p>

	<p><i>network, however on looking at the Environment Agency Flood risk mapping the Farm itself is at potential low risk of surface water flooding. The applicant information also indicates that the applicant intends to utilise infiltration techniques to deal with surface water discharge from each Caravan Unit, at this stage it is assumed that the ground would be suitable to deal with the volume of surface water discharge from the units, with this in mind CCC as LLFA would need to see further invasive ground investigation (Trial Holes undertaken to BRE365) to understand conclusively if the ground conditions are suitable to utilise infiltration techniques, and if so what size of soakaway structure is need per unit based on impermeable areas and 1-100 year plus 40% climate change rainfall event.</i></p> <p><u>Conclusion</u> <i>Cumbria County Council as both the highway authority and Lead Local Flood Authority has no objection to the proposal to create holiday lodges, however would seek the inclusion of a drainage condition to support the utilisation of infiltration drainage techniques on the site.”</i></p>
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3.2 Discretionary Consultees

Consultee	Response
United Utilities	No objection, response received 22 October 2018
Natural England	No objection, response received 31 August 2018
Environmental Health	No objection, response received 5 February 2019
Environment Agency	No objection, response received 14 September 2018
Conservation Officer	No objection, response received 5 February 2019
Tree Officer	No objection, response received 4 October 2018
National Grid	No objection, response received 6 February 2019
Shell	No objection, response received 5 February 2019

4. Parish Council

Parish Council	Please Tick as Appropriate			
	Object	Support	No Response	No View Expressed
Lazonby Parish Council	✓			

4.1 The following reasons for objection were given by the Parish Council:

“Residents’ concerns about the original proposals were about the visual impact of the development on the surrounding area and the prospects of noise and light pollution from the proposed site. The amended proposals have prompted further contact from the residents and a detailed submission was received from them in response to the amended proposals.

The residents’ are very concerned about the visual impact of the development on the surrounding countryside and the likely negative impact on the amenity of properties in the vicinity of the site. The residents state further that without adequate landscaping in place activities within and arising from the proposed development would significantly erode the tranquillity of an open countryside setting from transient day time recreational use of horse riding and livery stable to all year round occupation with increased traffic, movement of tourists and increased equestrian activity. Disquiet has also been expressed about the consequences of increased traffic on the road between the A6 and Armathwaite. Discussions have been held with the Highways Authority.

There is particular concern that, should planning consent be granted, the lodges could be erected before the proposed planting scheme matures to a level that provides adequate screening. If the introduction of lodges were to be delayed until they were not visible from local perspective points, this would address the concern and may also help in reducing noise and light emissions from the site.

Lazonby Parish Council has an interest in preserving the character of the landscape within the Parish and is also committed to supporting development that is compatible with this interest, is at a sustainable location and is fully compliant with the provisions of the recently adopted Eden Local Plan.

Lazonby Parish Council notes that the proposed site lies out with any of the towns and villages specified in Policy LS1, Locational Strategy. The application seeks change of use consent from farmland to a holiday lodge scheme. It is clearly a farm diversification scheme designed to promote tourism. The relevant Local Plan policy is understood to be EC4, Tourism Accommodation and Facilities.

This application is by definition, a small scale development, [Eden Local Plan, paragraph 4.19.2]. It should therefore be considered against the criteria given in the box on page 82 of the Eden Local Plan. The lodges proposed for the sign should be regarded as temporary rather than permanent accommodation and therefore to be compliant must meet the conditions given. Lazonby Parish Council consideration is that “The site is not screened by existing topography and vegetation” and it is extremely unlikely that “the development is capable of being removed without damage or material change to the land on which it was sited.”

It follows that the application is not compliant with Policy EC4 – small scale tourism development and accordingly Lazonby Parish Council wishes to lodge a formal objection to the application and requests that it be refused. This conclusion was reached after careful consideration of the representations of the residents and takes account of the policies in the Eden Local Plan.”

5. Representations

5.1 Letters of consultation were sent to nearby neighbours and a site notice was posted on 29 August 2018.

No of Neighbours Consulted	1	No of letters of support	0
No of Representations Received	35	No of neutral representations	3
No of objection letters	32		

5.2. The following material planning considerations were raised:

- Highway Safety
- Traffic
- Noise
- Landscape Impact
- Light Pollution
- Compliance with the Local Development Plan (specifically EC4)

5.3 A second round of consultations were conducted following amendments to the scheme. Letters of consultation were sent to nearby neighbours and a site notice was posted on 21 February 2019.

No of Neighbours Consulted	1	No of letters of support	0
No of Representations Received	14	No of neutral representations	1
No of objection letters	13		

5.2. The following material planning considerations were raised:

- Highway Safety
- Traffic
- Noise
- Landscape Impact
- Light Pollution
- Compliance with the Local Development Plan (specifically EC4)

6. Relevant Planning History

Application No	Description	Outcome
05/0253	Formation of access to C3027	Full approval 23 May 2005
05/0427	Steel framed single pitch and lean to with appropriate lighting	Nofl approval 9 June 2005

7. Policy Context

7.1 Development Plan

Local Development Plan 2014-2032:

- LS1 Locational Strategy
- DEV1 General Approach to New Development
- DEV3 Transport, Accessibility and Rights of Way
- DEV5 Design of New Development
- RUR4 Employment Development and Farm Diversification in Rural Areas
- EC4 Tourism Accommodation and Facilities
- ENV2 Protection and Enhancement of Landscapes and Trees

7.2 Other Material Considerations

National Planning Policy Framework:

- Chapter 2 Achieving sustainable development
- Chapter 6 Building a strong, competitive economy
- Chapter 12 Achieving well-designed places
- Chapter 15 Conserving and enhancing the natural environment

7.3 Technical Guidance to the NPPF (2012)

7.4 The policies detailed above are the most relevant policies relating to this application.

8. Planning Assessment

8.1 Key/Main Planning Issues

- Principle
- Landscape and Visual Impacts
- Amenity
- Highways Impacts

8.2 Principle

- 8.2.1 The proposed development is for the change of use of agricultural land to holiday lodge park with the conversion of shed to ancillary visitor administration hub at Nord Vue Farm, Armathwaite.
- 8.2.2 Chapter 6 Building a strong, competitive economy of the NPPF states that “*significant weight should be placed on the need to support economic growth and productivity*”. When specifically referring to the rural economy, Chapter 6 of the NPPF states that planning decisions should enable “*the sustainable growth and expansion of all types of business in rural areas*”, “*the development and diversification of agricultural and other land-based rural businesses*” and “*sustainable rural tourism and leisure developments which respect the character of the countryside*”.
- 8.2.3 This is supported by Policy RUR4 of the Local Development Plan which states that “*diversification of activities on existing farm units will be permitted provided they will help sustain an existing farm business, are of a scale which is consistent to the location of the farm holding and would not prejudice the agricultural use of the unit*”.
- 8.2.4 Although part of Nord Vue Farm is comprised of a livery and equestrian centre, it still remains a working farm. The proposal would permit the growth and expansion of a rural business in addition to enabling the diversification of Nord Vue Farm, helping to sustain the existing farming business.
- 8.2.5 Para 128 of the NPPF states that “*applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot*”.
- 8.2.6 Throughout the application process the applicant has held multiple public meetings on the 19th September, 2nd October and 14th November in addition to meetings with the Council regarding the application. Based on these meetings two revised site plans were produced to reflect concerns surrounding landscape and compliance with Policy EC4 of the Local Development Plan in addition to the submission of a lighting plan and indicative drawings of the proposed lodges.
- 8.2.7 Policy EC4 of the Local Development Plan states that small scale tourism development (defined within para 4.19.2 as sites up to 20 units) will be permitted for temporary accommodation (caravan, camping and chalet sites) where it meets all of the following criteria:
- 8.2.8 “*The site is screened by existing topography and vegetation*”
- 8.2.9 As previously stated the South-East section of the proposed site that contains the proposed lodges is approximately 385 metres South of the C3027 road with the closest proposed lodge to the C3027 road approximately 550 metres to the South. The proposed site is screened from the South by topography and from the East and West by existing vegetation. The proposed site slopes upwards to the South permitting

intermittent views from the North. The primary viewpoint from the North is from the C3027 road, however this is reduced to intermittent views due to existing hedgerows and mature trees adjacent to the South of the C3027 road in addition to the dense mature trees along the access road from Nord Vue Farm to the C3027 road. The C3027 road is almost exclusively used by vehicles with no pedestrian walkways and therefore any views from this location will be limited to passing motorists.

- 8.2.10 There are two dwellings not associated with Nord Vue Farm (Nord Vue Lodge and Eden Hill) within 500 metres of the South-East section of the proposed site and five within 1km. High Heskett is approximately 1.8km North-West of the South-East Section of the proposed site, Armathwaite is approximately 1.6km North-East and the nearest public footpath 1.45km North-West. Following multiple public meetings and consultations the number of lodges was reduced from 25 to 20 and the most prominent lodges located within the South-West of the proposed site were removed to further reduce the proposal's landscape impact. In conclusion the proposed site is considered to be well screened by existing topography and vegetation with intermittent views primarily from the C3027 road to the North restricted almost exclusively to passing motorists.
- 8.2.11 "Suitable access and car parking arrangements are defined and the site does not give rise to unacceptable impacts on the local road network either through traffic generation from the site itself or through cumulative impacts alongside other sites"
- 8.2.12 The proposed site is accessed via an existing access onto the C3027 road currently used to access Nord Vue Farm and Tarn Wood Water Treatment Works. The proposal is for 20 lodges, each with two designated parking areas at each lodge in addition to 12 parking spaces adjacent to the proposed visitor administration hub. The existing access permits good views to the North-East and South-West of the C3027 road. Highways were consulted on the application raising no objections, concluding that "the current access arrangement has been designed and constructed to a standard suitable for the traffic generated by such development". A Highways Officer additionally offered to meet with a concerned resident on site and in an email stated that "CCC would have no grounds to sustain an objection to the proposal on highway safety or traffic generated by the proposed development".
- 8.2.13 "*The development is capable of being removed without damage or material change to the land on which it was sited*"
- 8.2.14 The proposed development comprises the conversion of an existing shed into a visitor administration hub, an access road with a surface of crushed local sandstone and 20 lodges. These elements accommodate a relatively small area of the 16ha site and are considered easily removable and the land easily remediated preventing damage to or material change to the land.
- 8.2.15 Based on the above, the proposed development is considered to comply with Policy EC4 of the Local Development Plan.
- 8.2.16 The proposal benefits from weight afforded by both National and Local Policy with respect to its economic contribution and farm diversification. Furthermore the proposal benefits from Para 128 of the NPPF through community engagements throughout the process. The proposal additionally complies with Policy EC4 of the Local Development Plan which specifically refers to tourism accommodation of this type. Therefore the principle of the proposed development is considered acceptable.

8.3 Landscape and Visual Impacts

- 8.3.1 Chapter 15 Conserving and enhancing the natural environment of the NPPF states that planning decisions should protect and enhance valued landscapes and recognise the intrinsic character and beauty of the countryside. This is supported by Policy DEV5 of the Local Development Plan which states that new development should protect the district's distinctive rural landscape and natural environment.
- 8.3.2 As previously stated, the proposed site is screened to the South by topography and to the East and West by existing hedgerows and mature trees with the only views of the proposed site from public view points being from the North. The public view points to the North comprise the C3027 road approximately 550 metres North of the closest lodge and unclassified roads approximately 850 metres and 1.58km North of the closest lodge. Views from these roads are additionally intermittent due to existing hedgerows and sporadic mature trees adjacent to them. This is supported by the Landscape and Visual Impact Assessment (LVIA) submitted in support of the application, particularly the representative view points and associated map on pages 20 and 21.
- 8.3.3 Nord Vue Lodge is the closest dwelling to the proposal approximately 550 metres North of the closest lodge and is completely screened by existing mature trees. Eden Hill is the next closest dwelling approximately 550 metres to the North-East of the closest lodge and then a cluster of three dwellings (Tarn End, The Wadling and Birchwood) approximately 900 metres to the North-West. The closest settlements to the proposed development are High Hesket, approximately 1.35km to the North-West and Armathwaite, approximately 1.6km to the North East.
- 8.3.4 The proposal's landscape impact is limited through existing screening and topography to the East, South and West in addition to the low number of public view points and dwellings to the North and the large distances of these from the proposed development. This landscape impact is further limited through a reduction in the number of lodges from 25 to 20 with the five most prominent lodges at the Northern most section of the proposed site removed resulting in a relatively low density, low impact site.
- 8.3.5 Although no formal elevations for the proposed lodges has been submitted, indicative images have been submitted. The proposed lodges will have to meet the definition of a 'caravan' in Section 13, Part III of the Caravan Sites Act 1968 defines a 'caravan' as a structure designed for human habitation which is comprised of no more than two sections designed to be assembled on a site and when assembled, physically capable of being moved by road from one place to another. The legislation additionally stipulates maximum dimensions of 18.288 metres in length, 6.096 metres in width and 3.048 metres from internal floor to ceiling. Due to these restrictions it is considered that the final design and materials of the proposed lodges can be reserved by condition.
- 8.3.6 Policy ENV2 of the Local Development Plan goes further with regards to landscape impact, requiring proposals to take into account natural elements such as hedgerows, woodland and local topography in addition to visually sensitive skylines.
- 8.3.7 The proposal is supported by a 'woodland creation map' and 'site plan' containing details of proposed planting. The proposed planting is to comprise Forestry Commission structured landscaping primarily surrounding the proposed development with green corridor/ low density broad leaf trees (Birch, Haxel, Rowan, Cherry, Crab Apple, Spindle and Hornbeam) between lodges and within the picnic area. The area surrounding the proposed site is characterised by open agricultural land, interspersed with areas of dense woodland. The proposed site is bordered by mature trees and hedgerows to the West and East with areas of dense woodland approximately 230 metres South-West and 630 metres North-East of the proposed site. Therefore the

proposed planting will not only provide additional screening, but also reflect the character of the existing area.

- 8.3.8 The proposed development is adjacent to the South of Nord Vue Farm, utilising part of an existing shed as the visitor administration hub. The proposed development is considered to be well related to Nord Vue Farm so as not to be an isolated development within the countryside, whilst at the same time maintaining a sufficient distance and utilising a separate access from the main farm so as not to impact the existing farming and livery business.
- 8.3.9 Based on the above, the proposed development is considered to have a fairly limited landscape impact achieved through existing topography and screening, a lack of public view points and dwellings to the North, relatively low density, relationship to Nord Vue Farm and proposed planting.

8.4 Amenity

- 8.4.1 Para 180 of the NPPF states that new development should mitigate and reduce to a minimum potential adverse impacts resulting from noise. This is supported by Policy ENV2 of the Local Development Plan which states that planning decisions should take into account the tranquillity of the open countryside.
- 8.4.2 The proposed development is well related to Nord Vue Farm and existing equestrian centre. The proposal is relatively low density with twenty lodges proposed for the 9.5ha South-East section of the site. Given this low density combined with the adjoining farming/ equestrian uses, the proposal is considered to have a limited impact on the tranquillity of the area.
- 8.4.3 Para 180 of the NPPF states that new development should limit the impact of light pollution from artificial light on local amenity and intrinsically dark landscapes. This is supported by Policy ENV9 of the Local Development Plan which states that outdoor lighting schemes must not have an adverse impact on neighbouring uses, the wider landscape or dark skies, light levels must be at the minimum required , minimise potential glare and spillage, be as energy efficient as possible and minimise upward light pollution.
- 8.4.4 The proposed site is relatively well screened by existing vegetation and topography in addition to further planting proposed. A fully shielded walkway illuminated bollard lighting scheme to International Dark-sky Association (IDA) standards has been submitted in support of the application. The 'Additional (planning) Statement' submitted in support of the application includes examples of acceptable lighting fixtures provided by the IDA which includes a diagram of the fully shielded walkway bollards proposed. Conditions have additionally been recommended in relation to wattage, lumens, Kelvin range and height of light source.
- 8.4.5 Furthermore proposed conditions requiring the submission of the scale, appearance and materials of the proposed lodges further enables control over light produced by the proposed development.
- 8.4.6 Given the site's proximity to existing development, existing and proposed screening and bollard lighting scheme following IDA guidance, the proposal is considered to have a limited impact on light pollution and amenity of the area.

8.5 Highways Impacts

- 8.5.1 Chapter 9 Promoting sustainable transport of the NPPF states that "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety*". This is supported by Policy DEV3 of the Local

Development Plan which states that “*development will be refused if it will result in a severe impact in terms of road safety and increased traffic congestion*”.

- 8.5.2 The proposed development is for twenty lodges and utilises an existing access used for Nord Vue Farm and Tarn Wood Water Treatment Works. The Highways Authority were consulted on the application and raised no objection stating that “*the current access arrangement has been designed and constructed to a standard suitable for the traffic generated by such development*” and that “*there are no height or weight restrictions and the traffic generation from 25 holiday lodges would have a negligible impact on the highway network*”.
- 8.5.3 In an email sent on 1st November 2018 in response to concerns raised by a local resident surrounding the highways impact of the proposed development on this section of the C3027 road connecting the A6 to Armathwaite, Cumbria County Council (CCC) Traffic Management Team Leader for the East Area states that “*I have inspected our records for this length of road. They show that we have no recorded accidents between the junction with the A6 and the junction to Armathwaite*”. CCC further confirm that “*with very few frontages and no accident it is very unlikely that we could justify reducing the speed limit or taking any other action on it*”. The proposal is therefore considered to have a negligible impact on highway safety.

9. Implications

9.1 Legal Implications

- 9.1.1 The following matters have been considered but no issues are judged to arise.

9.2 Equality and Diversity

- 9.2.1 The Council must have regard to the elimination of unlawful discrimination and harassment, and the promotion of equality under the Equality Act 2010.

9.3 Environment

- 9.3.1 The Council must have due regard to conserving bio-diversity under the Natural Environment and Rural Communities Act 2006.

9.4 Crime and Disorder

- 9.4.1 Under the Crime and Disorder Act 1998, the Council must have regard to the need to reduce crime and disorder in exercising any of its functions.

9.5 Human Rights

- 9.5.1 In determining applications, the Council must ensure that all parties get a fair hearing in compliance with the provisions of Article 6 under the European Convention on Human Rights, as now embodied in UK law in the Human Rights Act 1998.

10. Conclusion

- 10.1 Chapter 2 Achieving sustainable development of the NPPF states that achieving sustainable development has three overarching objectives, economic, social and environmental. The proposal primarily involves weighing the economic benefits against its environmental impact. The proposal is a farm diversification scheme that is considered to benefit the rural economy and therefore benefits from ‘significant weight’ afforded by both National and Local Planning Policy.
- 10.2 The proposal is well screened by existing topography and vegetation with views of the proposed site limited to brief glimpses from roads and residential dwellings to the North. Additional planting proposed will enable further screening of the proposed site. Any potential light impact cause by the development is additionally limited through the

proposed lighting scheme submitted in addition to proposed conditions requiring the submission of the scale, appearance and materials of the proposed lodges further enabling control over light produced by the proposed development. Furthermore no consultees (excluding the Parish Council) have objected to the proposal.

- 10.3 Based on the above the economic benefits of the proposed development are considered to outweigh the limited landscape and amenity impact. Therefore the application is recommended for approval.

Oliver Shimmel
Assistant Director Planning and Economic Development

Checked by or on behalf of the Monitoring Officer	✓
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Background Papers: Planning File 18/0669