

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2204/OF1
2.	Proposed Development:	CHANGE OF USE OF LAND TO EXTEND DOMESTIC CURTILAGE & THE ERECTION OF A DOMESTIC GARAGE
3.	Location:	33 CONISTON AVENUE, SEASCALE
4.	Parish:	Seascale
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 33 Coniston Avenue, a semi-detached property situated on an existing housing estate within Seascale.</p> <p>PROPOSAL</p> <p>Planning permission is sought for the extension of the domestic curtilage and the erection of a garage to the side of the dwelling.</p> <p>The garage will be 12.2297 metres in depth and it will follow the property's amended southern boundary. However, as the new boundary will not be parallel with the existing property, the garage will be 5.4364 metres in width along the front elevation reducing to 3.7721 metres along the rear elevation. It will have an overall height of 2.75 metres and a flat roof. It has been designed to include</p>

a 3.2 metre wide garage door on the front elevation and an access door on the side elevation facing the garden. The proposal will be finished in grey/cream facing brick, timber sheet roof with a black rubberised surface and a grey roller garage door and grey UPVC access door to match the existing house.

The proposal also includes the installation of a 7 metre x 6 metre driveway at the front of the property. The driveway will be surfaced with tarmac and includes an aco channel drain.

RELEVANT PLANNING APPLICATION HISTORY

A Notification for Prior Approval for a rear conservatory application has previously confirmed the proposal was permitted development on the site (ref: 4/17/2114/HPAE).

CONSULTATION RESPONSES

Consultees

Seascale Parish Council – No objections.

Highway Authority – No objections.

Lead Local Flood Authority – No objections.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 2 no. properties.

No objections have been received as a result of this consultation.

PLANNING POLICIES

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

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposal are its scale and design, the potential impacts on residential amenity and highway safety.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The domestic curtilage garden extension is considered to be appropriately scaled to accommodate the proposed garage and driveway. The garage will be sited to the side of the property and will be modest in scale. The garage design includes a garage door and an access door which are considered to be appropriate for its use. The proposed materials will match the existing property and on this basis, the proposal is considered to meet Policies DM10 and DM18 of the Local Plan.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The proposal will be stepped away from the boundary by 0.9 metres and will be adjacent to an electricity substation. The neighbouring property (Elenjays, Coniston Avenue) also has a similar garage and there will be no windows included in the design. It is therefore considered that the garage proposal will have minimal impacts on neighbouring amenity. On this basis, the proposal is considered to comply with Policy DM18 and NPPF guidance.

Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.

The creation off-street parking is favoured by DM22 and the Highway Authority. In addition, the Highway Authority has raised no objections as part of the consultation process and the creation of the driveway and access onto an unclassified road is Permitted Development. It is however appropriate to attach an informative to any decision notice to ensure the applicant installs a kerb drop for the new driveway in accordance with the requirements of the Highway Authority.

On this basis, the proposal is considered to meet Policy DM22 and standards set out in the Cumbria Development Design Guide.

	<p><u>Conclusion</u></p> <p>Overall, this is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <p>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -</p> <p>Location Plan, scale 1:500, received 3rd June 2020; Site Plan, received 3rd June 2020; Proposed Garage Floor Plan, received 3rd June 2020; Proposed Elevations, received 3rd June 2020; Proposed Visualisations, received 3rd June 2020.</p> <p>Reason</p> <p>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.</p> <p>Informative</p> <p>The applicant should contact Street Works at the Cumbria Highways department on streetworks.central@cumbria.gov.uk to organise a kerb drop installing and this will be at the applicants expense.</p> <p>Statement</p> <p>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.</p>

Case Officer: Chloe Unsworth	Date : 28/07/2020
Authorising Officer: N.J. Hayhurst	Date : 28/07/2020
Dedicated responses to:- N/A	