

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2219/OF1
2.	Proposed Development:	ERECTION OF DETACHED OUTBUILDING (AT FRONT OF PROPERTY)
3.	Location:	5 GARLIESTON COURT, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	SC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 5 Garlieston Court, a semi-detached property situated on an existing housing estate within Whitehaven. The site lies within Whitehaven Corkickle Conservation Area and opposite the listed buildings at Victoria Terrace.</p> <p>PROPOSAL</p> <p>Planning permission is sought for the completion of an outbuilding. The proposed outbuilding will be 2.7m x 1.28m in size. It will include a sloping roof with an overall height of 2.8m and an eaves height of 2.3m. It will be built on the half-built base that is adjacent to the driveway and it will be finished with cream render, a slate roof, a wooden door and black plastic rainwater goods to match the</p>

existing property. The door will be located on the front elevation and side and rear elevations will be blank.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – No objection.

Conservation Officer – No objection.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 no. properties and site notice - No objections have been received as a result of this consultation process.

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

ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA)

Conservation Area Design Guide

ASSESSMENT

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

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 seek to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

The proposed outbuilding will be appropriately located adjacent to the driveway and will be very modest in scale. Following advice received from the Conservation Officer, the applicant amended the roof details to include a coping on top on the rear wall, intersecting the roof pitch below the coping with a leaf flashing on both sides. This design is considered to be suitable for this site which falls within the Conservation Area and opposite to a terrace of listed buildings. The design also reflects the other outbuildings on the housing estate. In addition, the materials will match the existing dwelling.

On this basis, the proposal is considered to meet Policies DM10 and DM18 and NPPF guidance.

Neighbouring Amenity

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

Due to the modest scale and appropriate siting, it is considered that there will be no detrimental impact on residential amenity. In addition, the existing boundary wall will help to screen the proposed development.

On this basis, the proposal is considered to comply with Policy DM18 of the Local Plan.

Heritage Assets

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay "special

attention... to the desirability of preserving or enhancing the character of appearance” of the Conservation Area.

Section 66.1 of the LBCA requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposed outbuilding is located in a conservation area and within the settling of the terrace of listed buildings at Victoria Terrace. The Conservation Officer was consulted and in his initial response he considered that the proposal would cause negligible harm to the settings of these listed buildings and to the conservation area, constituting less-than-substantial harm under para. 196 of the NPPF. However, he confirmed that this is justifiable by the increased utility and rectification of the current half-finished structure.

The final structure will be small, simple in appearance and finished to match the surrounding houses. It will result in approximately the top half of the rear wall of the outbuilding being visible above the top of the dividing wall between Garlieston Court and Victoria Terrace, and the listed buildings opposite. On this basis, it is considered that the proposal will have negligible harm on the character and appearance of the Conservation Area and on the settings of several nearby designated heritage assets.

The rainwater goods are to be constructed of black plastic, contrary to the guidance set out in the Councils adopted Conservation Area Design Guide, however given the nature of this development and its context, the Conservation Officer did not consider this to be problematic.

On this basis, the proposed outbuilding is considered to meet Policy DM27(A) and DM27(D), thereby satisfying the duties set out in the LBCA.

Conclusion

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.

8. **Recommendation:**
Approve (commence within 3 years)

9. **Condition(s):**
1. The development hereby permitted must commence before the expiration of three years from the date of this permission.

Reason

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

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: -

Site Location Plan, scale 1:1250, received 22nd June 2020;

Block Plan, scale 1:500, received 22nd June 2020;

Proposed Outbuilding Floor Plan and Elevations, received 29th June 2020.

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.

Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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: Chloe Unsworth

Date : 05/08/2020

Authorising Officer: N.J. Hayhurst

Date : 10/08/2020

Dedicated responses to:- N/A