

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2271/OF1
2.	Proposed Development:	ERECTION OF NEW TWO BAY GARAGE
3.	Location:	MOSS GHYLL, ASBY
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to Moss Ghyll, a detached dwelling sited to the north of Asby. The dwelling is located to the east of the access road leading out of Asby and is isolated from any other development with agricultural fields surrounding the site. Footpath 401010 runs adjacent to the site to the north. PROPOSAL Planning Permission is sought to erect a detached building on land to the west of Moss Ghyll. The garage will house two vehicles and will be open fronted. It will have a pitched roof with an eaves height of 2.15m and an overall height of 3.9m. It will be 6m in width and 6.1m in length and constructed from oak timber cladding and antique Flemish red brick.	

The roof will be natural slate with oak fascia and soffit boards.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications on the site.

CONSULTATION RESPONSES

Consultees

Arlecdon and Frizington Parish Council – No objections.

Countryside Access Officer – No objections but advised that the PROW should not be obstructed at any time during or after the development. A permit would be required for any footpath closure.

Cumbria County Highways – No objections as it is considered the proposal will not have a material effect on the existing highway conditions.

Local Lead Flood Authority – Initially requested details of where the surface water would drain to. On receipt of this information, raised no objections and details of the proposal are considered to be satisfactory.

Public Representations

The application has been advertised by way of a site notice.

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

PLANNING POLICIES

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

ASSESSMENT

Design and siting

The proposed garage has a traditional design with an open front and oak frame detail. It has been designed to allow for 2 vehicles to be stored with the minimum headroom required in order to minimize the impact of the development. The dwelling is isolated, however there is a public footpath running adjacent to the site. Although the garage will therefore be in public view it is considered that it will be viewed in context with the existing dwelling. There are high hedge boundary treatments surrounding the site which will help to screen the garage and lessen its impact.

The closest residential dwelling is South Mosses to the north west, however as it is 95 metres away there will not be any effects on the amenity of this property.

The garage is situated between the highway and the existing dwelling with adequate space for turning and egressing the site in a forward gear. The Countryside Access Officer commented that the PROW should not be obstructed during or after the build. Should the footpath require closure, the Applicant must apply for a permit as soon as possible. This can be included as an informative on the decision notice.

Due to the considerate design and siting, it is considered that the application complies with Policies DM10, DM18 and DM22 of the Copeland Local Plan.

Drainage

The plans submitted for the application show gutters and downpipes on the building, however there was no information provided that highlighted where the water would discharge to. The Local Lead Flood Authority requested that this information be provided therefore an amended plan was provided by the Applicant's Agent. This shows that the water will be drained downhill towards a proposed soakaway to the south east of the garage. This will link to the existing soakaway and water treatment system which will clean the water before releasing it to the stream, as is the existing situation for the dwelling. The Local Lead Flood Authority were satisfied with this proposal and raised no objections to the application.

It is considered that the drainage proposals submitted are satisfactory and comply with Policies ENV1 and DM24 of the Copeland Local Plan.

	<p><u>Conclusion</u></p> <p>No objections to the proposal have been received.</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.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> <p>The development hereby permitted shall be commenced 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>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: -</p> <p>Location Plan, scale 1:2500, drawing number 20.170.01, received 21st July 2020; Site Plan, Floor Plan and Elevations, scales 1:500, 1:100 and 1:50, drawing number 20.170.02A, received 28th August 2020; Frame Drawings, scale 1:50, drawing number EI 5391.FR, received 21st July 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>Informatives</p> <p>1) 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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>2) Public Footpath 401010 follows an alignment to the east side of the proposed development and must not be altered or obstructed before or after the development has been completed.</p>

	<p>If the path is to be temporarily obstructed then a formal temporary closure will be required, there is a 14 week lead in time for this process, please contact Sandra.smith@cumbria.gov.uk for further information.</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: Sarah Papaleo	Date : 07/09/2020
Authorising Officer: N.J. Hayhurst	Date : 09/09/2020
Dedicated responses to:- N/A	