



**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2354/0F1
2.	Proposed Development:	NEW VEHICLE ACCESS WITH DROPPED KERB TO EXISTING DRIVE
3.	Location:	STONELEA, 48 ROWRAH ROAD, ROWRAH, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change
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: INTRODUCTION <p>The application site is located within a well-established residential area within the village of Rowrah with the main host property forming that of a two storey semidetached property.</p> PROPOSAL <p>This application seeks planning permission for the creation of a vehicular access with a dropped kerb to an existing driveway to the front - southern boundary of the site. The access would be from the A5086 that runs along the front southern boundary of the site east to west.</p> CONSULTATION RESPONSES <p><u>Arlecdon and Frizington Parish Council</u></p> <p>Arlecdon and Frizington Parish Council confirmed by email on the 29th September 2020 that they had no objection to the proposal.</p>	

Cumbria Highways

Cumbria County Council as the Highways Authority and the Lead Local Flood Authority (LLFA) has reviewed the above planning reference and in an email received on the 22nd January 2021 from them, they confirmed that the development was acceptable, subject the attachment of a condition requiring the visibility splays to be constructed before the general development of the site commences.

Public Representation

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

No comments have been received as a result of this public consultation process.

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

Copeland Local Plan 2013-2028 (Adopted December 2013)

Core Strategy

Copeland Borough Local Plan 2013 – 2028

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

- Policy DM10 – Achieving Quality Place
- Policy DM11 - Sustainable Development Standards
- Policy DM12 - Standards for New Residential Developments
- Policy DM18 – Domestic Extensions and Alterations
- Policy DM24 - – Development Proposals and Flood Risk

Other Material Planning Considerations

NPPF 2019

Cumbria Development Design Guide

ASSESSMENT

The main material planning considerations within this application is the impact of the proposed dropped kerb upon highway safety and flooding within the local area.

The Principle of Development

The principle of the development accords in general terms with the aims of Policy ST1 and section 12 of the NPPF, both of which 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.

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 host property would retain a decent level of amenity garden land to rear of the property and the proposed driveway would not cause any adverse or harmful impact upon the amenity of the immediate neighbours in terms loss of privacy or overlooking.

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

Character

The creation of the dropped kerb and vehicular access to allow vehicles to park on the driveway to the front of the host property is not considered to cause a harmful impact upon the character of the local area.

Based upon the above consideration, it is considered that the design and scale of the proposed development would not cause any harmful impact upon the character of the local area.

On this basis, the proposal is considered to meet DM18 (A) policy and the NPPF guidance

Highway Safety and Flood Risk

As part for the consultation process, Cumbria Highways and Lead Flood Authority were invited to comment upon the application. The reply received confirmed that they had no objection to the application subject to the attachment of a condition to require the visibility splays being implemented before the development is brought into use.

In addition to the above condition, it is considered both expedient and proportionate to attach an informative to the grant of planning permission to require the surface water from the driveway to be drained within the curtilage of the existing property.

Based upon the above comments received, it is considered that the considered that the development

	<p>complies with the aims and objectives of the Development Management DM 24 – Development Proposals and Flood Risk and is therefore acceptable.</p> <p><u>Conclusion</u> 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> <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>The Block Plan received with the application on the 15th September 2020 The Existing Site Layout Plan received with the application on the 15th September 2020 The Visibility Plan for Stonelea, 48 Rowrah Road, Rowrah – as per the email received from Cumbria Highways 22nd January 2021</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>The driveway and access hereby approved shall not be used until the splays as shown on drawing entitled “no Stonelea, 48 Rowrah Road, Visibility Splays” - has been provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure shall be erected, or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded. Once constructed the visibility splays shall be retained in accordance with the approved details at all</p>

times thereafter

Reason:

In the interests of highway safety and to support Local Transport Plan Policies: LD7, LD8

Informative

The applicant / developer should ensure that measures are taken to prevent surface water discharging onto or off the highway to the satisfaction of the Highway 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: Adrian Adams

Date : 26.01.2021

Authorising Officer: N.J. Hayhurst

Date : 28/01/2021

Dedicated responses to:- N/A