

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2391/OF1
2.	Proposed Development:	DETACHED GARAGE IN REAR GARDEN (AMENDMENT OF PREVIOUSLY APPROVED PLANNING APPLICATION)
3.	Location:	7 MOUNTAIN VIEW, SCILLY BANKS, WHITEHAVEN
4.	Parish:	Moresby
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - 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:	<p>SITE AND LOCATION</p> <p>This application relates to 7 Mountain View, an end of terrace dwelling situated in the Scilly Banks area of Whitehaven. The site is accessed by a private lane to the north of the dwelling, between 7 and 5 Mountain View. There is a large amenity space to the rear of the property which is currently used for parking and storage.</p> <p>PROPOSAL</p> <p>Planning Permission was granted in August 2019 for the erection of a detached garage (application reference 4/19/2228/OF1 relates). This application seeks planning permission for the same development, with a modest change to the overall height of the building and the insertion of a window in the gable on both the front and rear elevations to provide an upper storage area.</p> <p>The garage is to be erected on the land to the western extreme of the site, adjacent to the open fields</p>

at Scilly Bank.

The proposed building will have an overall height of 5.6 metres with an eaves height of 2.2 metres. It will be 6.7 metres in length and 6.6 metres in width and have double garage doors on the front with a pedestrian door in the side elevation.

The building will be constructed from materials to match the parent dwelling with wet dash render walls, a concrete tiled roof and roller shutter garage doors.

RELEVANT PLANNING APPLICATION HISTORY

Single storey extension to the rear of the dwelling, alterations to the interior and the erection of a double garage, approved in 2006 (application reference 4/06/2063/0 relates);

Detached garage in rear garden, approved in August 2019 (application reference 4/19/2228/0F1 relates).

CONSULTATION RESPONSES

Consultees

No responses have been received.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

One letter of objection has been received raising concerns with regards to rights of way.

PLANNING POLICIES

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

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 is currently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

ASSESSMENT

This application is for a slight variation to the overall roof height of the previously approved garage. The ridge height will increase by 0.1m due to an anomaly in the original plans which resulted in the roof trusses being undeliverable.

Planning Policy seeks to ensure that residential alterations and extensions are designed to be in keeping with their surroundings whilst ensuring that there is not a significant effect on the amenity of any neighbouring dwellings.

Although the overall height of the proposal is to be significant, the eaves height is modest and the footprint of the garage is of a satisfactory size. The garage is to be sited on a large piece of amenity space to the rear of the dwelling and is set back from the terrace of properties to the east. Due to the siting, there is unlikely to be an effect on the amenity of the occupiers of the neighbouring properties and the proposal will not create any loss of light issues. The additional height of 0.1m and the inclusion of two small upper windows is not considered to be a material difference from the original planning permission and therefore is unlikely to increase any effect on neighbouring amenity.

The proposal will leave a large parking and turning area available for the parent dwelling with an amenity space retained to the west of the house. The garage has been sited to have no impact on the street scene and it cannot be viewed from surrounding public areas. Due to the overall scale of the garage, it is considered that a condition restricting its use for parking and amenity for the parent dwelling should be attached to the approval.

The design of the garage is satisfactory, with materials which will match the parent dwelling.

One objection has been received to the proposal raising concerns due to legal rights of way. As this is not a material planning consideration, it has not formed part of the decision making process and the

	<p>objector has been advised to seek legal advice.</p> <p>Overall this is considered to be an acceptable form of development which accords with the guidance set out in the NPPF and 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>Site location plan, block plan and elevations, drawing number 1, received 2nd October 2020; Front elevation, drawing number 2, received 2nd October 2020; Rear elevation, drawing number 3, received 2nd October 2020; Sectional drawing, drawing number 4, received 2nd October 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>The garage shall be used for the parking of private vehicles and storage of domestic equipment only in association with the residential property known as 7 Mountain View and for no commercial or business purposes whatsoever.</p> <p>Reason</p> <p>To ensure that non conforming uses are not introduced into the area in accordance with policies ST1 and DM18 of the Copeland Local Plan.</p> <p>Informative</p> <p>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</p>

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: Sarah Papaleo

Date : 26/11/2020

Authorising Officer: N.J. Hayhurst

Date : 27/11/2020

Dedicated responses to:- N/A