



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2408/OF1
2.	Proposed Development:	CREATION OF AN ACCESS ROAD FOR OFF ROAD PARKING
3.	Location:	14 BARNGILL PLACE, DISTINGTON
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: YES</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p>Report:</p> <p>SITE AND LOCATION</p> <p>This application site relates to 14 Barngill Place and the adjacent land which houses a number of garages to the rear of Barngill Place and Hinnings Road, Distington.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of an access road across the adjoining land to enable an off-street parking area to be provided to serve 14 Barngill Place. The access road will be 23 metres in length and 2.5 metres in width for part of its route. The width of the road will widen to 5 metres adjacent to the existing garages and 7 metres along the boundary with 14 Barngill Place. The proposal will also include a turning area within the existing garden area of 14 Barngill Place, measuring 12 metres x 6 metres. The proposed access road will be constructed using permeable granular material and the turning area will be constructed using concrete hardstanding slab.</p>	

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this site.

CONSULTATION RESPONSES

Consultees:

Distington Parish Council

No comments received.

Highways Authority

Initial comments:

The existing access road and proposed land does not form part of the public highway although the parking proposed and access arrangement around the existing garage does not appear to be practical. Vehicles are not able to turn and leave in a forward gear requiring them to either reverse in or back out of the proposed parking area.

The Local Planning Authority should consider the above when approving this application.

Revised comments based on the amended plan received:

The amended plan is more practical than first proposed and vehicle tracking has been provided to demonstrate that with a little manoeuvring then vehicles can leave in a forward gear which is welcomed. The construction of the driveway and turning area is sufficient for the intended use.

Lead Local Flood Authority

No objections, although the drainage should be in line with the building regulations process.

Footpath Officer

No comments received.

Public Representations

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 process.

6 letters of objection has been received to the proposal which raised the following concerns:

- Residents frequently walk over the garage site and have used it for the last 36 years;
- Children use the land regularly to access the neighbouring football pitch;
- It will negatively impact the area. There has already been upheaval and extra noise caused by the bypass that was built;
- There is a formation of garages that nobody uses that could be demolished to make way for

increased car parking. The rugby club has a large car park that people could use yet don't;

- The area being considered is used by local children as a safe place to play;
- When there is other, unused land and more viable options to increase the availability of parking spaces, why would you choose to impact upon an area where many children enjoy playing;
- Concerns the footpath and the lane behind the houses should not be blocked off due to health and safety;
- Concerns regarding access to the back laning, the backs and being able to get the grass cut and the associated service charge;
- Concerns regarding the location and the provision of space for children to play.

One letter of support has also been received to the proposal which included the proposal is an excellent idea, which will prevent the current parking issues in Barngill Place and the surrounding houses becoming even worse.

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

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

Policy DM22 – Accessible Developments

Policy DM24 – Flood Risk and Development

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide (CDG)

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design, the potential impact on highway safety, the public rights of way and drainage.

Principle of Development

Policy DM12 and Policy DM22 require developments to incorporate innovative approaches to manage vehicular access and off-street parking in accordance with adopted residential parking standards.

The applicant has highlighted the existing parking issues and lack of off-street parking available on Barngill Place, which provides justification for the proposal. A letter of support has also highlighted that this proposal will prevent the current parking issues in Barngill Place and surrounding houses becoming worse. The creation of off-street parking is supported by the Cumbria Development Design Guide and as it will be located within the existing garage site, it is considered to be a suitable solution.

Concerns regarding the proposed use were considered, as it was noted by neighbours that the land is currently used as a space for children to play. The site is not a designated open space and it currently operates as a garage site. As a result, the access road and parking is not considered to be an unsuitable development for the site.

On this basis, the principle of development is acceptable and the proposal is considered to satisfy Policies ST1, DM12 and DM22 and the NPPF guidance.

Scale and Design

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

The scale and design of the proposed surfacing is considered to be appropriate for its use and it will be suitably located within the site. The access road and parking will be viewed in the context of the existing garage site and it will respond to the character of the site. As a result, this will minimise the impact of the development on the surrounding area.

Concerns raised regarding the proposed location and other viable locations were considered, although the location to the rear of the garage site is considered to have the least impact on neighbouring properties and the garage site.

In addition, under current permitted development rights, the access and turning area within the garden of 14 Barngill Place could be installed without the requirement for formal planning permission. This fallback position is a material consideration in the assessment of this application. As the proposed access road is not significant in scale, the proposal is considered to be acceptable.

On this basis, the proposal is considered to comply with Policies ST1 and DM10 and the NPPF guidance.

Highway Safety

Policy DM22 encourages off-street parking to avoid vehicles dominating the street scene, whilst

	<p>meeting adopted car parking standards.</p> <p>The proposal will provide adequate off-street parking to serve the needs of the dwelling and the Highway Authority noted the existing access road to the garage site and application site do not form part of the public highway. Despite this, the Highway Authority did initially raise concerns regarding the proposed parking and access arrangement around the existing garage as it did not appear to be practical.</p> <p>Following discussions with the applicant, a turning area within the garden of 14 Barnhill Place was included to allow vehicles to be able to turn and leave in a forward gear. The Highway Authority confirmed the vehicle tracking demonstrated that with a little manoeuvring then vehicles can leave in a forward gear which is welcomed. In the interest of Highway Safety, it is appropriate to attach a condition to ensure the turning area is installed prior to the first use of the access road and parking area. This will address the concerns raised by the neighbours objections.</p> <p>On this basis, the proposal is considered to satisfy highway safety and Policy DM22.</p> <p><u>Impact on the Footpaths and Public Right of Way</u></p> <p>The site visit confirmed there are no public rights of way within close proximity to the proposal, although there is a footpath from Barnhill Place to the garage site between no. 14 and 15 Barnhill Place and along the edge of the adjacent playing field.</p> <p>Whilst three letters of objections raised concerns regarding the impact on the footpaths and the access across the site. I am satisfied that the proposal will not restrict access or alter any footpaths. In addition, the concerns are mitigated by the proposed location, approximately 8 metres from the path between 14 and 15 Barnhill Place. The amended design to allow vehicles to turn will also improve residential amenity and highway safety, further addressing concerns raised by the objections.</p> <p>On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.</p> <p><u>Drainage and Flood Risk</u></p> <p>Policy ENV1 and DM24 seeks to protect developments against risks of flooding and ensure that new developments do not contribute to increased surface water run-off.</p> <p>The Lead Local Flood Authority have no objection to the proposal, although they advised that the drainage should be in line with the building regulations process. Overall, the permeable proposal will not increase the flood risk on site or elsewhere and on this basis, the proposal is considered to meet Policy ENV1 and DM24.</p> <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:</p> <p>Approve (commence within 3 years)</p>

9.	<p>Condition(s):</p> <ol style="list-style-type: none"> <p>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>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>Site Location Plan, scale 1:1250, drawing no. 2021-DRG-1B, received 25th November 2020; Block Plan, scale 1:500, drawing no. 2021-DRG-2A, received 13th October 2020; Plan View of Proposed Hard Standing Vehicle Turning Area, scale 1:150, drawing no. 2021-DRG-1B, received 25th November 2020; Detail 1 – Proposed Granular Construction Private Access Road, scale 1:10, drawing no. 2021-DRG-1B, received 25th November 2020; Detail 2 – Proposed Concrete Hardstanding Turning Area, scale 1:6, drawing no. 2021-DRG-1B, received 25th November 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>Prior to the first use of the approved access road and parking, the turning area must be installed in accordance with the details shown on the plan reference 2021-DRG-1B, received by the Local Planning Authority on 25th November 2020. Once installed the parking and turning area must be maintained at all times thereafter in accordance with the approved details.</p> <p>Reason</p> <p>To safeguard highway safety and local amenity.</p> <p>Informative</p> <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining</p>
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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 : 07/12/2020

Authorising Officer: N.J. Hayhurst

Date : 08/12/2020

Dedicated responses to:- 7 objectors/supporters