

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2413/OF1
2.	Proposed Development:	ERECTION OF DETACHED DOUBLE GARAGE
3.	Location:	DAMSON BARN, UNDERHILL, MILLOM
4.	Parish:	Millom Without
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, 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: SITE AND LOCATION <p>The application relates to Damson Barn, a semi-detached barn conversion located to the southeast of Underhill, The Hill, Millom. The site benefits from a large garden and is accessed by a single track off the A5093. It also lies within flood zones 2 and 3.</p> PROPOSAL <p>Planning Permission is sought for the erection of a detached garage to the front of the dwelling. The garage will be 8 metres in width and 8 metres in depth. It will have an overall height of 5.2 metres, an eaves height of 2.5 metres and a pitched roof. It has been designed to include two garage doors on the front elevation, an access door on the side elevation and two windows on the rear elevation facing the garden. The proposal will be finished with roughcast render, natural blue slate roof tiles, a timber side door, grey roll up garage doors and UPVC windows to match the existing dwelling.</p>	

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the sub-division of an existing dwelling into two dwellings with new extension (ref: 4/13/2067/0F1).

Two householder prior notification applications have previously determined that a rear extension and single storey rear extension were permitted development (ref: 4/16/2366/HPAE and 4/16/2232/HPAE).

CONSULTATION RESPONSES

Consultees

Millom Without Parish Council – No objections.

Highway Authority – No comments received.

Lead Local Flood Authority – No comments received.

The Council's Flooding Engineer – No objections.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 1 no. properties.

No objections have been received as a result of this consultation.

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

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Proposed Developments and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

ASSESSMENT

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

Scale and Design

Policy ST1 and section 12 of the NPPF 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.

The garage will be appropriately sited to the front of the property and will be modest in scale. The design includes two garage doors and an access door which are considered to be appropriate for its use. The proposed materials will reflect the existing property and on this basis, the proposal is considered to meet Policies DM10 and DM18 of the Local Plan.

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. Policy DM12 seeks to protect residential amenity by setting a minimum separation distance of 21 metres between directly facing elevations of dwellings containing windows of habitable rooms and a minimum of 12 metres is retained between directly facing elevations of dwellings containing windows of habitable rooms and a blank gable.

The proposal will be appropriately located within the site, with a separation distance of approximately 22 metres from the neighbouring property, High Marshside. This distance is in excess of the Policy DM12 requirements and therefore the proposal will not cause overshadowing concerns. In addition, the proposed windows will be located on the rear elevation facing the garden and therefore the design mitigates overlooking concerns.

On this basis, it is considered that the garage proposal will have minimal impacts on neighbouring amenity and therefore it is considered to comply with Policy DM12, DM18 and the NPPF guidance.

Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be accompanied by a Flood Risk Assessment (FRA). Policy DM24 seeks to protect developments against risks of flooding.

The application is accompanied by a Flood Risk Assessment and although the proposal is located within Flood Zone 3, the area is small and it will only have a very small impact on flooding extent should it occur. It is important to note, the area is shown to be low risk for river, sea and surface water flooding due to existing defences.

The Council's Flood Engineer has raised no objection to the proposal, as appropriate flood resistance and resilience measures are proposed. The drawings also show that the surface water is to be

	<p>disposed of to a soakaway, although percolation testing has not been undertaken. An alternative would be to “Bracken Beck”, immediately adjacent to site.</p> <p>On this basis, it is considered that the proposed detached garage will not have a detrimental impact on increasing flood risk and therefore, the proposal is considered to meet Policy DM24 and the NPPF guidance.</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>Location Plan, scale 1:2500, drawing reference 1671, received 14th October 2020; Block Plan, scale 1:500, drawing reference 1671, received 14th October 2020; Proposed Garage Floor Plan, scale 1:50, drawing reference 1671, received 14th October 2020; Proposed Elevations, scale 1:100, drawing reference 1671, received 14th October 2020; Flood Risk Assessment, received 14th 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 flood resilience and mitigation measures shall be implemented as part of the development hereby permitted in accordance with the details set out in the Flood Risk Assessment received by the Local Planning Authority on 14th October 2020. These measures shall be retained and maintained at all times thereafter.</p>

	<p>Reason</p> <p>To prevent flood risk in accordance with Policy DM24 of the Copeland Local Plan.</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>	
<p>Case Officer: Chloe Unsworth</p>		<p>Date : 09/12/2020</p>
<p>Authorising Officer: N.J. Hayhurst</p>		<p>Date : 09/12/2020</p>
<p>Dedicated responses to:- N/A</p>		