

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2449/OF1
2.	Proposed Development:	REPLACEMENT GARAGE INCLUDING FAMILY ACCOMMODATION
3.	Location:	BRANDLE HOW, GILGARRAN
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION <p>This application relates to detached property known as Brandle How, located in Gilgarran. The dwelling is situated on the southern edge of the hamlet and is adjoined by other residential properties, the nearest of which lies 30 metres to the north west. The site is surrounded by high boundary hedges which reduces its visibility locally. The property is accessed via a private road which adjoins the minor road that runs through the centre of Gilgarran.</p> PROPOSAL <p>Planning Permission is sought for the demolition of the existing single storey garage and the erection of a double storey annex and garage in the same location. The building will include a workshop and garage on the ground floor and living/dining room, kitchen and bedroom on the first floor. The annex will provide accommodation for the oldest child in the family to have their own space, with the</p>	

garage and workshop space available to store hobby cars.

The building will be 6.6m in height to the ridge and 4.1m to eaves level. It will be 14.5m in length and 8.8m in width. The annex will be sited 4m from the side elevation of the existing dwelling and 1m from the side boundary.

The proposed building is to be constructed of similar materials in order to match the main house. The walls of the annex are proposed to be rendered and finished white, with a grey flat tiled roof and white UPVC windows and doors. The boundary hedgerows will be retained.

RELEVANT PLANNING APPLICATION HISTORY

Garage extension, approved in 1999 (application reference 4/99/0055/0 relates).

CONSULTATION RESPONSES

Cumbria Highway Authority – Taking into account the existing use of the property and the details submitted within the planning statement, it is considered that the proposal will be unlikely to have a material effect on existing highway conditions. The Highways department therefore raise no objection to the proposal.

Local Lead Flood Authority – The proposal is to replace an existing building on the site. The site is located in an area of very low risk from surface water according to the Environment Agency flood maps. The LLFA have no objection to the proposal.

Public Representation

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

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

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 ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework

ASSESSMENT

The policies in the Core Strategy seek to encourage good design whilst retaining satisfactory amenity for the surrounding residents.

Principle of the development

The site is within the curtilage of the existing dwelling at Brandle How where there is an existing detached garage. As Gilgarran is outside any designated settlement boundary, this is not a location where residential development is likely to be supported, however, use as ancillary accommodation for a specified need may be acceptable. The Applicant has specified a need for further accommodation to allow their 18 year old child some independent space and their own bedroom. It is considered that, on the basis that the accommodation remains ancillary to the existing dwelling, this is satisfactory in principle. A planning condition can be added to any approval to ensure that the annex remains as part of the dwelling and is not let out or sold as an independent dwelling.

The ground floor is to be storage and maintenance for the family's classic car collection. A site visit confirmed the ownership of many cars which were parked within the curtilage of the dwelling. It is considered that the site would not be suitable for business purposes, therefore a suitably worded planning condition can be added to any approval to ensure that the garage is used for purposes ancillary to the dwelling and not for any commercial purposes.

Overall, it is considered that the principle of providing further accommodation and a larger garage for use in connection with Brandle How is acceptable and in accordance with Policies ST1 and ST2 of the Copeland Local Plan.

Scale, Design and Impact on Residential Amenity

The garage has been designed with a pitched roof and will be constructed in materials to match the existing dwelling. The overall height, although substantial, will not be higher than the existing high hedges on the boundary of the site, therefore it is likely that the building will not be visible from any public viewpoints within the locality. The building incorporates a dormer window and skylights on the first floor in order to allow the height to remain as modest as possible. The building will be set

	<p>back from the front of Brandle How, allowing it to remain subservient when approaching the site from the private road. There will be no overlooking created due to the high boundary treatments and the distance from the nearest properties.</p> <p>Overall, it is considered the proposal complies with Policies DM10 and DM18 of the Copeland Local Plan, relating to design and impact on neighbouring properties.</p> <p><u>Access and parking</u></p> <p>The existing private driveway from the centre of Gilgarran will be unaffected by the proposal. It is considered that there is unlikely to be an increase in vehicle movements to and from the property, as the accommodation will serve the existing household. Parking for the property will be improved with the additional garage space able to house many cars. There is ample parking surrounding the existing dwelling which will be largely unaffected by the proposal. No objections were received from the Cumbria Highways Department and it is considered that there is unlikely to be a material change to the existing situation as a result of the proposal.</p> <p><u>Conclusion</u></p> <p>There have been no objections received to the proposal.</p> <p>Overall this is considered to be an acceptable form of development which accords with the policies set out in the adopted Local Plan and other material planning considerations. Its use can be controlled through the use of appropriately worded planning conditions to restrict the use to ancillary accommodation and domestic storage.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <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> <ol style="list-style-type: none"> 2. 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>Site Location Plan, scale 1:1250, drawing number 252/04003/01, received 4th November 2020; Block Plan, scale 1:500, drawing number 252/04004/01, received 4th November 2020; Proposed Ground Floor, scale 1:50, drawing number 252/04001/03, received 4th November</p>

2020;

Proposed Loft Plan, scale 1:50, drawing number 252/04002/03, received 4th November 2020;
Proposed Elevations, scale 1:100, drawing number 252/05001/03, received 4th November 2020;

Planning Statement, written by SB Associates, received 5th January 2021.

Reason

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.

3. The building hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Brandle How and must not be let or sold as a separate permanent dwelling.

Reason

The annex is not considered appropriate for use as a separate residential unit in accordance with Policy ST2 of the Copeland Local Plan.

4. The garage must be used for the housing or parking of private vehicles and domestic equipment only in association with the residential property known as Brandle How and for no commercial or business purposes whatsoever.

Reason

To ensure that non conforming uses are not introduced into the area in accordance with Policies ST1 and ST2 of the Copeland Local Plan.

Informative

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.

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 : 05/01/2021
Authorising Officer: N.J. Hayhurst		Date : 06/01/2021
Dedicated responses to:- N/A		