

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2454/OF1
2.	Proposed Development:	NEW DETACHED BUILDING FOR GARAGE TO STORE CARAVAN AND HOUSEHOLD CARS AND NEW GARDEN ROOM
3.	Location:	3 MIDDLE GILL BARNS, HOWGATE, WHITEHAVEN
4.	Parish:	Moresby
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - 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:	<p>SITE AND LOCATION</p> <p>This application relates to 3 Middle Gill Barns, a semi-detached barn conversion situated within small collection of dwellings near to the village of Howgate, Distington. The site is accessed along a private track off the B5306 road and it benefits from a large driveway and garden.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a new detached garage and garden room. It will be located to the south-east of the existing dwelling within the large garden and driveway and it will have a separation distance of 6 metres from the side elevation of the dwelling.</p> <p>The proposed structure will be 16 metres in length and 7.3 metres in width. It will have a pitched roof to reflect the existing barn conversion, although due to the changes in levels, the front elevation will have an eaves height of 3.2 metres and an overall height of 5.4 and the rear elevation will have an</p>

eaves height of 1.7 metres and an overall height of 3.8 metres.

It will include a double bi-folding garage doors on the front elevation, a garage door and access door on the side elevation facing the existing property and a garden room window on the side elevation facing the boundary. The rear elevation will include two gable windows with patio doors from the garden room to the garden. It will be lit by one roof light.

The walls will be finished with stone on the front and rear elevations and larch cladding on the side elevations, the roof tiles will be slate, the garage doors and the access door will be timber and the windows will be aluminum clad timber.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the conversion of redundant stone barns to 3 residential units (ref: 4/07/2165/0), an amended scheme 4/07/2165/0 for conversion of redundant stone barns to 3 residential units (ref: 4/09/2230/0) and an amended planning approval 4/09/2230/0 for conversion of barn (Unit 3) to new 3 bedroomed dwelling (ref: 4/13/2416/0F1).

CONSULTATION RESPONSES

Consultees

Moresby Parish Council – No comments received.

Cumbria County Council Highway Authority – No objection.

Lead Local Flood Authority – No objection.

Cumbria County Council Footpath Officer – No objection.

Public Representations

Public representations for this application have been advertised by way of site notice and neighbour notification letters issued to 3 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

Policy ST2 – Spatial Development Strategy

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)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been 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

The key issues raised by this proposed are the principle of development, its scale and design, the potential impacts on residential amenity, highway safety and the public right of way.

Principle of Development

The proposal will provide a domestic garage for storage and a garden room to provide additional domestic accommodation. It will be located adjacent to the existing dwelling and is, in principle, an acceptable form of development.

On this basis, the proposal is considered to satisfy Policy ST2 and the NPPF guidance.

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.

Following a site visit, concerns were initially expressed with regards to the scale and height of the proposal. The agent responded by lowering the eaves and overall height by 0.5 metres to match the height of the neighbouring barn conversion. As a result, the amended garage height will be lower than the existing property and therefore it will appear subservient.

The applicant also provided additional justification for the scale and use of the garage. Given the secluded location, the proximity to the public footpath and in the interest of security, the garage will act as a secure store for a caravan. The caravan measures 2.8 metres in height and as a result, to accommodate the caravan, the size of the garage doors and the eaves height cannot be reduced further. On this basis, the amended garage scale is considered to be appropriate for its use.

The siting will be in an appropriate location to the side of the existing property and the change in levels and raised land to the rear will reduce the height of the garden room to the rear. The pitched roof will also reflect the character of the existing dwelling and the proposed materials are considered to be appropriate.

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

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.

Overlooking and overshadowing issues between the proposal, the parent property and the neighbouring properties were considered, although due to the proposed location to the side of the existing property, away from the neighbouring properties, it is considered that the proposal will have little impact on neighbouring properties. The proposal will not include any windows on the side elevation facing the neighbouring properties and therefore overlooking concerns are mitigated.

Overshadowing issues for the existing property were considered due to the proposed height of the garage. However, the design of the existing property mitigates concerns, as it has an open plan family room that extends further than the proposed garage length. The family room is lit by windows on the gable end, large skylights and windows on both side elevations. In addition, the windows and doors facing the proposed garage are primarily for ventilation and access, rather than providing light. On this basis, the proposal will not cause a significant loss of natural light to the existing property.

In addition, it is considered that the proposed garage will provide appropriate storage and protection for the caravan. To ensure that the use of the garage remains domestic in nature, it is considered appropriate to attach a condition to any planning permission to limit the use to domestic purposes only. This will also help to minimise impact on the amenities of the occupiers of surrounding dwellings.

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

	<p><u>Highway Safety</u></p> <p>Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The garage will be used as a domestic garage so it will not increase the number of people visiting or using the site. There is sufficient parking to the side of the property, in addition to the parking bays within the garage. No objections have been received from the Highways Authority and therefore it is considered that the development would not lead to any detrimental impact on highway safety.</p> <p>On this basis, the proposal is considered to satisfy Policy DM22 and the guidance set out in the Cumbria Development Design Guide.</p> <p><u>Public Right of Way</u></p> <p>Although the site lies adjacent to the Public Right of Way 417002 and the development might be visible from a small section of the public footpath to the side of the property, it will be seen in the context of the existing dwelling and as such will not have any detrimental impact on users of the Public Right of Way. On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a detached garage and garden room to the side of an existing barn conversion. The main issue raised by the application is the scale of the proposed building. Amendments have been secured as part of the consideration of this proposal to lower the height of the building and additional justification for the scale and use has also been provided.</p> <p>On this basis, the amended garage proposal is considered to be acceptable in terms of its siting scale and design are is suitable for its use. Due to the relationship with the existing property and neighbouring properties, the garage will not cause detrimental amenity issues, although it is appropriate to attach a planning condition to control the use, which will protect residential amenity further within the locality. In addition, the proposal will have little impact on highway safety and the public right of way.</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 subject to the imposition of the planning conditions proposed.</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 must commence before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. 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: -

Location Plan, scale 1:1250, received 9th November 2020;

Block Plan, scale 1:200, drawing reference 201101-3, received 9th November 2020;

Existing Plan, scale 1:100, drawing reference 201101-2, received 9th November 2020;

Proposed Elevations and Floor Plan, scale 1:100, drawing reference 201101-1 Edition A, received 14th December 2020.

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 garage must be used for the parking of private vehicles and the storage of domestic equipment only in association with the residential property known as 3 Middle Gill Barns and for no commercial or business purposes whatsoever.

Reason

To ensure that non conforming uses are not introduced into the area.

Informative

1. Public Footpath 417002 follows an alignment to the north side of the proposed development and must not be altered or obstructed before or after the development has been completed.

If the footpath is to be temporarily obstructed then a formal temporary closure will be required there is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk.

2. 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: Chloe Unsworth

Date : 12/02/2021

Authorising Officer: N.J. Hayhurst

Date : 12/02/2021

Dedicated responses to:- N/A