



**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

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| 1. | Reference No: | 4/20/2489/OR1 |
| 2. | Proposed Development: | APPROVAL OF RESERVED MATTERS RELATING TO ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING APPROVED OUTLINE APPLICATION REFERENCE 4/18/2177/001 |
| 3. | Location: | PLOT 2, LAND AT GILGARRAN PARK, 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: | <p>SITE AND LOCATION</p> <p>This application relates to Plot 2 situated on the land at Gilgarran Park, Gilgarran. The site has agricultural fields to the north and south, residential dwellings to the east and the road to Distington to the west.</p> <p>The land has been subject to an outline approval, along with Plot 1. This was approved in 2018 (application reference 4/18/2177/001 relates).</p> <p>PROPOSAL</p> <p>This application seeks approval of the reserved matters relating to layout, scale, access, appearance and landscaping for Plot 2, further to the previously approved outline application.</p> <p>The proposed detached dwelling is designed as a dormer bungalow, including a kitchen, dining room,</p> |

living room, WC, store, utility room and 2 bedrooms on the ground floor and a games room, 2 bedrooms and a bathroom on the first floor. There will be an attached single garage.

The dwelling will be 14 metres in overall length, with the garage projecting a further 5 metres, 10.9 metres in width at the widest point, an eaves height of 3.8 metres and an overall height of 7.2 metres.

Access will be taken from Gilgarran Park Road, with parking, turning and amenity space has been provided to the front of the property with a large garden to the rear.

CONSULTATION RESPONSES

Distington Parish Council – Raised no objections but questioned whether the necessary drainage had been demonstrated.

Cumbria County Highways – No objections as it is considered that the proposal will not have a material effect on the existing highway conditions.

Local Lead Flood Authority – No objections as the proposal does not increase the flood risk on the site or elsewhere.

Arboricultural Officer – No objections.

Natural England – No objections.

Public Representations

The application has been advertised by way of a site notice and neighbour notification letters issued to 8 no. properties.

No responses have been received as a result on 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

Policy SS2 – Sustainable Housing Growth

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 – Development Proposals and Flood Risk

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy 2019 (NPPF)

Copeland Interim Housing Policy May 2017 (IHP)

Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)

Copeland Borough Council – Strategic Housing Market Assessment and Objectively Assessed Housing Need (SHMA)

National Design Guide (NDG)

Cumbria Development Design Guide (CDDG)

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

ASSESSMENT

Principle of Development

Outline planning permission was granted for two residential properties in 2018 under reference 4/18/2177/001, which established the principle of residential development on the site. Layout, scale, access, appearance and landscaping were reserved for future approval and this application seeks to address these matters.

Design and Appearance

The dwelling submitted is of a modest scale, being a dormer bungalow with a low eaves and ridge height. This will not only reflect the existing residential development to the east of the site, but also help to soften the edge of Gilgarran, allowing for a gradual transition from the rural landscape to the built up area. It is considered that the dwelling sits neatly in the plot, allowing adequate space for amenity and maintenance of the property.

The dwelling includes a window on the side elevation of the ground floor to serve the living room, however this will be a high window which will be above eye level. This will face directly onto the adjacent plot which has been submitted in tandem for approval (application reference 4/20/2501/OR1 relates). There are windows for habitable rooms on the west elevation of the adjacent plot (which has not yet been approved) therefore planning policy states that separation distances of at least 12 metres are required in order to avoid overlooking issues. These distances cannot be achieved due to the size of the plots, however the Applicant is proposing a 1.8 metre high close boarded timber fence which will mitigate against overlooking. Furthermore, it is considered prudent to include a condition to ensure that the first floor window is more than 1.7m above the floor level and non-opening to lessen the impact on the two properties. The separation between the properties will be around 11 metres and with the mitigation measures proposed, this is considered to be acceptable.

Details of the proposed materials have not been provided therefore it is considered prudent to include a suitably worded planning condition to any approval to ensure that these are provided, prior to their use on the development.

Overall, it is considered that the dwelling is of an appropriate design and appearance that is appropriate for the site and this part of the village, in compliance with Policy DM10.

Access and parking

The plans show a single access point onto the road to Gilgarran Park. This is considered to be acceptable as it mirrors the layout of the existing dwellings. The Highways Authority has raised no objections to the proposal.

Parking and turning space has been provided within the site to accommodate 2 parking spaces in addition to a space inside the integral garage. Cars are able to exit the site in a forward gear, therefore ensuring highway safety for the development.

Provided the access is constructed in accordance with the submitted plans, the proposal complies with Policy DM22 of the Copeland Local Plan.

Boundary Treatment and Landscaping

The boundary treatments specified includes a 1.8m high close boarded fence between the plots and a 1.2m high post and wire fence to the rear of the development. These are considered to be acceptable and typical of a residential boundary treatment. The high fence will ensure that the dwelling is screened suitably and that an appropriate boundary is erected between plots. The fence should be erected prior to occupation and maintained at all times, in order to ensure there are no overlooking issues.

No details of the soft landscaping have been included, therefore it is considered that this information should be supplied and approved prior to the occupation of the dwelling in order to ensure that the

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| | <p>dwelling blends into its surroundings and does not urbanise this part of Gilgarran.</p> <p><u>Drainage</u></p> <p>No details of drainage have been provided and therefore will require approval prior to the commencement of the dwelling. A condition remains on the outline planning permission, for full details of surface water drainage to be submitted, therefore it is considered that this point has already been covered and will require discharge. This will satisfy the concerns raised by Distington Parish Council in relation to drainage for the site.</p> <p><u>Conclusion</u></p> <p>No objections have been received to the proposal.</p> <p>Overall, the proposal is deemed to be acceptable and based on the information submitted, will result in an acceptable form of development which will be consistent with the policy requirements set out in local policy and the guidance contained with the NPPF.</p> |
| 8. | <p>Recommendation: Approve Reserved Matters</p> |
| 9. | <p>Condition(s):</p> <ol style="list-style-type: none"> <p>The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.</p> <p>Reason</p> <p>To comply with Section 92 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, scale 1:1250, drawing number 230 01011 01, received 4th December 2020; Block Plan, scale 1:500, drawing number 230 01010 01, received 4th December 2020; Proposed Elevations and Floor Plans, scales 1:100 and 1:200, drawing number 230 04002 01, received 4th December 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 occupation of the dwelling hereby approved, the window in the western side</p> |

elevation to serve the living room must be installed to at least 1.7m above the floor level and retained as such at all times thereafter.

Reason

In order to ensure privacy and avoid overlooking issues for the approved hereby approved and the neighbouring dwellings in accordance with Policy DM18 of the Copeland Local Plan.

4. Prior to the first occupation of the dwelling hereby approved, full details of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing, means of enclosure, finished levels or contours etc. Landscaping must be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure the amenity of the neighbouring property in accordance with Policy DM10 of the Copeland Local Plan.

5. Prior to the first occupation of the dwelling hereby approved, the proposed 1.8 metre high close timber boarded fence must be erected according to the approved plans and retained at all times thereafter.

Reason

In order to ensure a suitable standard of amenity for the dwelling and the surrounding properties in accordance with Policy DM10 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

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| | <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: Sarah Papaleo</p> | <p>Date : 27/01/2021</p> |
| <p>Authorising Officer: N.J. Hayhurst</p> | <p>Date : 28/01/2021</p> |
| <p>Dedicated responses to:- N/A</p> | |