

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2052/OF1	
2.	Proposed Development:	ERECT DOUBLE GARAGE WITH GAMES ROOM ABOVE	
3.	Location:	ORCHARD BANK HOUSE, WAINGATE BRIDGE, HAVERIGG	
4.	Parish:	Millom	
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	No
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:	<p>Site and Location</p> <p>This application relates to a detached new build dwelling, known as Orchard Bank House, located to the north east of Haverigg. The dwelling was granted planning permission in 2019 (ref: 4/19/2051/OF1) and is currently under construction. The site is located within open countryside, set back from the main road into Haverigg by a driveway, and is located to the south of Wainsgate Terrace.</p> <p>Planning History</p> <p>4/12/2443/OF1 – Lawful development certificate for an existing use – dwelling house incorporating granny quarters – Approve</p>	

4/17/2302/OF1 – Proposed dwelling and detached garage - Withdrawn

4/18/2172/OF1 – Erect dwelling house & attached garage, install septic tank – Withdrawn

4/19/2051/OF1 – Erect dwelling house, detached garage and install septic tank (re-submission) – Approve

4/20/2174/OB1 – Variation of condition 6 (materials used) or planning approval 4/19/2051/OF1 (erect dwelling house, detached garage and install septic tank (re-submission)) – Approve

Proposal

This application seeks planning permission for the erection of a detached double garage. The proposed garage will be located to the south of the existing dwelling, 1.8m from the gable. The proposed garage will measure 7.35m x 7.3m, with an eaves height of 3.8m and an overall height of 5.9m.

The proposed double garage will also benefit from a toilet within the ground floor and a games room within the roof space. Externally the proposed garage will be finished with white roughcast render, grey roof slate, and anthracite grey UPVC doors and windows to match the main dwelling. The proposal will also include two up and over grey garage doors.

Consultation Responses

Millom Town Council

No objections.

Cumbria County Council – Cumbria Highways & LLFA

The Highway Authority and Lead Local Flood Authority has no objection to the proposed development as it is considered that the proposal will not have a material effect on existing highway conditions nor does it increase the flood risk on the site or elsewhere.

Copeland Borough Council – Flood and Coastal Defence Engineer

From the perspective of flood risk to the proposed development the Officer has no concerns. The application and FRA make no mention of foul sewage disposal or surface water disposal, but plans show the toilet being connected to the house drainage and the surface water to soakaways. The inclusion of a toilet in the garage & games room would not create additional sewage, so I have no concerns about the disposal of sewage. The Officer has however requested additional information with regard to the disposal of surface water.

The applicant has confirmed that although the roof area of the garage is nearly double the size of the original garage roof that has already been approved permission, the original soakaways of 1 cubic meter each side are still sufficient to cover the proposed increased area. Based on this information

the Council's Flood and Coastal Defence Engineer has confirmed that he has objections to this.

Public Representation

This application has been advertised by way of a site notice. One letter of support has been received to this application which has stated the following:

- It is good to see this area finally being developed.
- There is no reason why this proposal would be denied planning, the garage is well situated and doesn't negatively impact on anyone.
- There is a shortage of large modern properties in the area and the addition of the garage further compliments the main house therefore the application is fully supported.

Planning Policy

Planning law requires that 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 – Strategic Development Principles

ENV1 – Flood Risk and Risk Management

ENV5 – Protecting the Boroughs Landscapes

Development Management Policies (DMP)

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Development Proposal and Flood Risk

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2021)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended on 30 November 2020. 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

Principle of Development

The proposed application relates to a new residential dwelling located to the north of Haverigg and will provide a large double garage and a games room. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18, and the NPPF guidance.

Scale, Design and Impact on Amenity

Policy ST1 and section 12 of the NPPF seek to safeguard good levels of residential amenity. Policy DM18 seeks 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 application seeks permission for a detached double garage with a games room above. This will replace a single detached garage which was approved under the original planning approval (ref: 4/19/2051/0F1) for the main dwelling and has yet to be constructed. Concerns have been raised with the applicant regarding the overall scale of the development, however the applicant has confirmed that they are unable to reduce the size of the development in order to achieve the internal space required, particularly with ongoing requirements to work from home.

Although the proposed garage is large in scale, its proposed location behind the south gable of the site will minimise the impact of the development on the surrounding area. The proposal is also set back from the rear elevation and the front facing gable, which further screens the development limiting the visibility of the development from public vantage points. Although the orientation of the roof of the proposed garage does not match that of the main dwelling, the proposed design reflects the previously approved single garage, reduces the bulk of the development, and reflects the prominent feature of the front facing gable and smaller dormer along the rear elevation of the dwelling. Overall the scale and design of the development is therefore acceptable in relation to the parent property, and will not have a detrimental impact on either residential amenity or the overall streetscene.

On this basis the development is considered to comply with the requirements of Policy DM18 of the Copeland Local Plan and the provisions of the NPPF.

Flood Risk and Drainage

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

This application is located within Flood Zone 2 & 3 and is supported by the document 'Householder and other Minor Extensions in Flood Zone 2 & 3'. This document details the proposed resistance and resilience measures to be included within the development, including proposed floor levels. Based on this, and a request for clarification about the size of the soakaways for the site, the Council's Flood and Coastal Defence Engineer has confirmed that he has no objections to the proposal.

The proposal is therefore considered to comply with policies ST1, ENV3 and DM24 of the Copeland Local Plan and provision of the NPPF.

Landscape and Visual Impact

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

The site is located within open countryside, set back from the main road into Haverigg by a driveway, and is located to the south of Wainsgate Terrace. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 2d: Coastal Margin – Coastal Urban Fringe. The Key Characteristics of the land comprise: low lying flat land, urban influences linked to tourism development, derelict buildings and major transport routes, strong man-made landforms on coastal edges, mixed land cover of mown grass, pasture, scrub and semi natural grassland, and weak field patterns.

The Guidelines for development include: protect 'green' areas from sporadic and peripheral development, encourage new development on brownfield and vacant sites to protect and enhance habitats, minimise the impact of new development by careful siting, design and high standards of landscape treatment particularly where public views are affected, and establish new woodland belts or thick hedgerows along the edges of developments to soften their impact, provide a backcloth, define limits of urban expansion and integrate isolated development.

The proposed detached garage will be located to the south gable of the dwelling. As the development will be screened by, and viewed against, the adjacent main dwelling it would have minimal impact on

	<p>the overall landscape.</p> <p>The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the NPPF.</p> <p><u>Planning Balance & Conclusion</u></p> <p>The proposed detached garage is of an appropriate scale and design and will not have any detrimental impact on the overall streetscene or the wider local landscape setting. It represents 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>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must 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. 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:- <ul style="list-style-type: none"> - Site Plan, Block Plan, Section A.A, and Proposed Elevations & Floor Plans, Scale 1:50, 1:100 & 1:300, Drawing No 1681, received by the Local Planning Authority on the 9th February 2021. - Householder and Other Minor Extensions in Flood Zones 2 and 3, received by the Local Planning Authority on the 9th February 2021. <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,</p>

as amended by the Planning and Compulsory Purchase Act 2004.

Other Conditions:

3. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the following documents:

- Householder and Other Minor Extensions in Flood Zones 2 and 3, received by the Local Planning Authority on the 9th February 2021.

Once installed these measures must be retained at all times thereafter.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

4. The detached double garage hereby approved must be used for the housing of private vehicles and domestic equipment only, and must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Orchard Bank House, Waingate Bridge, Haverigg.

Reason

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

Informative:

A PROW (public footpath/bridleway/byway) number 415011 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

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: C. Burns

Date : 17.08.2021

Authorising Officer: N.J. Hayhurst

Date : 23/08/2021

Dedicated responses to:- N/A