

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2082/OF1
2.	Proposed Development:	DETACHED GARAGE
3.	Location:	ULLCOATS COTTAGE, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, SSSI - SSSI, Coal - Off Coalfield - 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: INTRODUCTION <p>The application site is located within the open countryside as defined by the Copeland Local Plan 2013-2028 (Adopted December 2013). The site forms that of a detached 2 storey house with a wide driveway to the front of the property. Vehicular access is made to the property via a private road known as Little Mill that runs along the north-western boundary of the site.</p> PROPOSAL <p>This application seeks planning permission for the erection of a single storey side garage building within the land to the front of the main host dwelling house. The garage would measure approximately 6 metres deep and 6 metres wide: however, the western corner of the garage would be effectively truncated to allow the garage to fit into the space. The eaves height of the garage is 2.2 metres and the overall height of the apex roof is 4 metres.</p>	

CONSULTATION RESPONSES

Egremont Town Council

No objections

The Countryside Access Officer

Public footpath 425009 follows an alignment through the proposed development area and must not be altered or obstructed before or after the development has been completed, if the Footpath is to be temporarily obstructed, for example for renewing the stream crossing, then a formal temporary closure will be required, there is a 12 week lead in time for this process.

Cumbria Highways & LLFA

No comments received.

Public Representation

The application has been advertised by way of a neighbour notification letters issued to 1 property and by a Site Notice that was displayed to the front of the site on the 3rd March 2021

PLANNING POLICY

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

Copeland Borough Local Plan 2013 – 2028

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy
- Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

- Policy DM10 – Achieving Quality Place
- Policy DM11 - Sustainable Development Standards
- Policy DM12 - Standards for New Residential Developments
- Policy DM18 – Domestic Extensions and Alterations
- Policy DM26 - Landscaping

Other Material Planning Considerations

NPPF 2019

Cumbria Development Design Guide

Cumbria Landscape Classification Toolkit

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently 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 Principle of Development

The principle of the development accords in general terms with the aims of Policy ST1 and section 12 of the NPPF, both of which 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.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the host property or adjacent dwellings.

As set above, the host property is located within the open countryside with the nearest dwelling house being located approximately 70 metres away to the northeast of the site. On that basis, it is considered that the proposed detached garage building would not lead to any harmful or adverse impact upon the amenity of any local residential dwelling house.

The application site would retain a decent level of amenity garden area and the proposal does not cause an adverse effect upon the current provision for off street parking to serve the property.

On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.

Impact on Settlement and Landscape Character

The application site is located within the open countryside and the Cumbria Landscape Tool Kit classifies the local landscape area as Low Lands – Sub Type – Ridge & Valley. Therefore, a key material consideration within this application is the impact of the proposed development upon the character of the local area.

In terms of the impact upon the local landscape area, a key characteristic of the Ridge & Valley area

is: *“Scattered farm buildings are dispersed throughout the area and are often concealed by undulations in the land and woodlands.”*

The proposed building would be located to the north-western front garden of the Host property and so the development would be visible from the public highway that runs to the northwest of the site. However, given the modest site of the development and the proposed use of materials to match those of the main host building, the development is not considered to have a harmful impact upon the character of the local area.

It is considered that the scale and form of the proposed garage is subservient to the host property and in keeping with the scale and context of the local area.

The application forms state that the materials to be used on the external elevation of the extension would match those of the existing host property. However, in order to ensure that the development is constructed in matching materials and thereby safeguarding the character of the surrounding area, it is considered expedient to attach a condition to secure the use of these materials in the interests of local visual amenity.

On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.

Site of Special Scientific Interest – SSI Florence Mine.

The tip of the application site nearest to the public highway falls within a designated SSSI.

Policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposal that are likely to have an effect on nature conservation sites, habitats and protected species.

The proposed garage will be located within area an area of the site that is already developed and is surfaced with a crushed hard stone surface.

Looking at the comments from Natural England within the planning application made in 2019 for the replacement dwelling Natural England commented that the proposed development will not have significant adverse impacts on statutorily protected nature conservation site.

On this basis it is considered that the proposal complies with the policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.

Impact Upon Adjacent PROW

There is a public footpath that runs along the northeastern side of the of the application site. The Countryside Access Officer has stated that development should not obstruct or hinder the foot path and therefore it is proposed that an informative should be attached to the grant of permission to highlight this guidance.

Planning Balance

The proposed detached garage is of an appropriate scale and design and its impact on the local area

	<p>will be minimal. A planning condition can be used to ensure the use of high quality materials.</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 and therefore, the application is recommended for approval.</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 shall be commenced 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>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>Location plan Scale 1:2500 Proposed Garage Plan Drawing No. WDS-05-5863-100 Rev B Received with Valid Application 23rd February 2021</p> <p>Elevation Plans Scale 1:200 Proposed Garage Plan Drawing No. WDS-05-5863-101 Rev B Received with Valid Application 23rd February 2021</p> <p>Location plan Scale 1:100 Proposed Garage Plan Drawing No. WDS-05-5863-102 Rev B Received with Valid Application 23rd February 2021</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 external finishes of the garage development hereby permitted shall match in material, colour, style, bonding and texture to those of the main host building.</p> <p>Reason</p>

	<p>To ensure a satisfactory appearance of the building in the interests of visual amenity.</p> <p>Informative(s):</p> <p>A PROW (public footpath/bridleway/byway) number 425009 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.</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: Adrian Adams</p>	<p>Date : 14.04.2021</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 19/04/2021</p>
<p>Dedicated responses to:- N/A</p>	