

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2182/0F1
2.	<b>Proposed Development:</b>	CONSTRUCTION OF A DETACHED DOUBLE GARAGE
3.	<b>Location:</b>	TI-AMO, 33 PINEWOODS, GILGARRAN
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES Site Notice: Yes Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>INTRODUCTION</b></p> <p>The application site is located within the small settlement of Gilgarran with the host property forming that of a detached bungalow with gardens to rear of the host property and off street parking to the front. The boundary to the application site is currently enclosed by a well-established privet hedge that is approximately 2 metres in height.</p> <p><b>PROPOSAL</b></p> <p>This application seeks planning permission for the erection of a detached double garage to be located within the south-east corner of front garden of the host property. The garage would be 6.2 metres in depth, 5.9 metres in width and would have an overall roof height of 4 metres.</p> <p><b>CONSULTATION RESPONSES</b></p> <p><u>Distington Parish Council</u></p>

No objection

Cumbria County Council, Highways and LLFA

No objection to the proposed development as it is considered that the proposal will not have a material affect on existing highway conditions nor does it increase the flood risk on the site or elsewhere.”

Public Representation

The application has been advertised by way of a neighbour notification letters issued to 4 properties. In addition, a site notice was erected at the site on the 6<sup>th</sup> May 2021.

No objections have been received as a result of this consultation.

**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

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

**Other Material Planning Considerations**

NPPF

Cumbria Development Design Guide (CDG)

Emerging Copeland Local Plan

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 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.

The proposed garage has no windows proposed within the side elevations and therefore, it is considered that the proposed garage would not lead to any loss of privacy. There is a sufficient level of space between proposed garage and the neighbouring properties to ensure that development would not cause any adverse impact in terms of noise or fumes.

The application site would retain a decent level of amenity garden area and would retain off street parking for several cars and so would result in any on street parking.

Based upon the above assessment the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.

### Settlement Character and Design

The application site is located within the small well-established residential Cul Du Sac that is predominately characterised by detached and semi-detached bungalows. The application site forms that of a corner plot within the Cul Du Sac with two further properties located to the west that results in small linear frontage along the northern side of Pinewoods.

In some circumstances where development is proposed forward of the principal elevation of the main host property, such works are normally considered to be unacceptable i.e. if the application site is located within long linear row of properties where there the building line forms a distinctive feature/ character of the local area. However, in this case, given the small scale of the Cul Du Sac and the

	<p>linear frontage, the garage is not considered to cause a harmful impact upon the character of the local area. The scale and design of the garage are considered to be acceptable and to fit within the general character of the local area.</p> <p>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 to be expedient to attached a condition to require this.</p> <p>On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.</p> <p><u>Planning Balance</u></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><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced 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.</li> <li>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: -  Floor &amp; Elevations (Proposed) Plans Scale 1:50 and 1:100 @A3 Drawing Number 001 Received with the valid planning application on the 29<sup>th</sup> April 2021.  Reason  To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,</li> </ol>

as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved must not be brought into use until all of the external elevation finishes of the development match in terms of material, colour, style, bonding and texture those of the main dwelling house.

Reason

To ensure a satisfactory appearance of the building in the interests of visual amenity.

#### **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](http://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: Adrian Adams**

**Date : 21.06.2021**

**Authorising Officer: N.J. Hayhurst**

**Date : 21/06/2021**

**Dedicated responses to:- N/A**