

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2384/OF1
2.	<b>Proposed Development:</b>	DETACHED DOUBLE GARAGE
3.	<b>Location:</b>	EASTWINDS, YEATHOUSE ROAD, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
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: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to Eastwinds, a detached property situated on Yeathouse Road within Frizington. The site benefits from a large driveway, garden and existing detached garage.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought to erect a replacement detached garage to the rear of the dwelling. The garage will be 7.18 metres in width and 7.865 metres in depth. It will have a pitched roof with an overall height of 5 metres and an eaves height of 2.75 metres. It has been designed to include double garage door and an access door on the front elevation, two windows on the side elevation facing the garden and two windows on the rear elevation. The side elevation facing the boundary will be blank. The proposal will be finished with render, concrete roof tiles, brown UPVC windows and doors and a brown roller shutter door to match the existing dwelling.</p>

## **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this site.

## **CONSULTATION RESPONSES**

### Arlecdon and Frizington Parish Council

No objections.

### Highway Authority

No objections.

### Lead Local Flood Authority

No objections.

### Public Representation

The application has been advertised by way of neighbour notification letters issued to 1 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 proposal are the principle of development, its scale and design, the potential impacts on residential amenity and highway safety.

#### Principle of Development

The proposed application relates to a residential dwelling within Frizington and it will provide a replacement detached garage. Policy DM18 supports extensions 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 of the Local Plan 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.

The replacement garage will be appropriately sited to the rear of the property, behind the main element of the existing dwelling and it will be modest in scale. This will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. It will not be overbearing for the neighbouring properties and the design is considered to be suitable for its use. In addition, the choice of materials are considered to respect the existing character and appearance of the existing property.

On this basis, the proposal is considered to meet Policies DM10 and DM18 of the Local Plan.

#### 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.

The replacement garage will be stepped away from the boundary by 1.7 metres and the side elevation facing the boundary will be blank. In addition, the scale is relatively modest and the pitched roof design will reduce overshadowing. It is therefore considered that the garage proposal will have minimal impacts on neighbouring amenity.

	<p>On this basis, the proposal is considered to comply with Policy DM18 and the NPPF guidance.</p> <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.</p> <p>The site access and off-street parking for two vehicles will remain unchanged and therefore it is considered the proposal will not have a detrimental effect on the existing highway conditions. The existing driveway and the proposed garage will provide adequate off-street parking to meet the needs of the property.</p> <p>On this basis, the proposal is considered to meet Policy DM22 and standards set out in the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed replacement garage is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties or highway safety. It therefore 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><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li data-bbox="180 1108 1437 1178">1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <p style="margin-left: 40px;">Reason</p> <p style="margin-left: 40px;">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"> <li data-bbox="180 1455 1458 1524">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: -</li> </ol> <p style="margin-left: 40px;">Existing Location Plan, scale 1:1250, drawing no 5610-01-P1, received 24<sup>th</sup> August 2021;  Existing Block Plan, scale 1:500, drawing no 5610-01-P1, received 24<sup>th</sup> August 2021;  Existing Site Plan, scale 1:100, drawing no 5610-01-P1, received 24<sup>th</sup> August 2021;  Existing Floor Plan and Elevations, drawing no 5610-02-P1, received 24<sup>th</sup> August 2021;  Proposed Location Plan, scale 1:1250, drawing no 5610-03-P1, received 24<sup>th</sup> August 2021;  Proposed Block Plan, scale 1:500, drawing no 5610-03-P1, received 24<sup>th</sup> August 2021;  Proposed Site Plan, scale 1:100, drawing no 5610-03-P1, received 24<sup>th</sup> August 2021;</p>

Proposed Floor Plan and Elevations, drawing no 5610-04-P1, received 24<sup>th</sup> August 2021.

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.

**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: C. Unsworth**

**Date : 13/10/2021**

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

**Date : 18/10/2021**

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