



**To: PLANNING PANEL**

**Development Control Section**

**Date of Meeting: 27/10/2021**

<b>Application Number:</b>	4/21/2421/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Michelle Vickers
<b>Application Address:</b>	LAND TO THE REAR OF 31 SOUTH ROW, WHITEHAVEN
<b>Proposal</b>	ERECTION OF A GARAGE ON EXISTING SITE (RETROSPECTIVE)
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Issue delegated authority to the Head of Planning and Place to approve Full Planning Permission subject to the receipt of positive comments from the Town Council and the planning conditions outlined at the end of this report.



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### **Reason for Determination by Planning Panel**

This application is brought for consideration by Members of the Planning Panel as the proposal relates to a garage site which is owned by the Council.

### **Site and Location**

This application relates to the land to the rear 31 South Row on a Garage Site located within the Kells area of Whitehaven.

## **Proposal**

Retrospective Planning Permission is sought for the erection of a replacement garage. The garage measures 4.6 metres in width and 8.85 metres in length. It has a pitched roof with an overall height of 4.26 metres and an eaves height of 2.5 metres. The garage will be constructed with a rendered exterior finish, grey concrete roof tiles and a grey steel garage door.

## **Relevant Planning Application History**

There have been several previous approved applications for garages on this site.

## **Consultation Responses**

### Whitehaven Town Council

Requested an extension of time for a response until after their next meeting on 28<sup>th</sup> October 2021.

### Highways Authority

No objections.

### Lead Local Flood Authority

No objections.

### Public Representations

Public representations for this application have been advertised by way of a site notice and neighbour notification letters issued to 2 no. properties - No objections have been received as a result of the 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 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**

Policy ST2 seeks to direct development to the most sustainable locations. The proposal includes development within an existing garage site, which is located within the settlement boundary of Whitehaven.

On this basis, the proposal represents an appropriate form of development in this location, consistent in principle with the provisions of Policy ST2 of the Local Plan.

#### **Scale and Design**

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seeks to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

The proposed replacement garage is suitably located within the garage site and it is relatively modest in scale. The design respects the character of the overall site, which comprises a collection of small garage units. Externally, the building will be finished in dashed render, with a metal garage door and a tiled roof. These materials are considered to be appropriate in this location, although the render has yet to be finished. On this basis, in the interest of visual amenity, it is considered appropriate to attach a planning condition to ensure that the external walls of the garage are rendered within 3 months of the approval.

Overall, the proposal is typical of the area and it is considered to meet Policy DM10 and the NPPF guidance.

#### **Residential Amenity**

Policy ST1, DM10 and section 12 of the NPPF seek to safeguard good levels of residential amenity.

Due to the location within the garage site, it is considered that there will be no detrimental impact on the amenities of the occupiers of the residential properties within the locality. The garage is sited a considerable distance from the nearest dwelling and the proposal is not materially different from the garage structure which previously occupied the site. It is however appropriate to attach a planning condition to ensure the garage use remains domestic in nature and that non-conforming uses are not introduced into the area to protect residential amenity.

On this basis, the garage is considered to comply with Policy DM10 of the Local Plan.

### **Highway Safety**

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The garage is located on an existing garage site and therefore taking into account the existing use of the site, the Highway Authority did not raise any concerns. It is not considered that the proposal will not have a material effect on the highway conditions or safety.

On this basis, the proposed garage is considered to meet Policy DM22 and the standards set out in the Cumbria Development Design Guide.

### **Planning Balance and Conclusion**

The garage is of an appropriate scale and design and will not have any detrimental impact on the amenities of the occupiers of the surrounding residential properties. In addition, the proposal will not have an impact on existing highway conditions or safety.

Overall, the proposal is considered to be an acceptable form of development within the existing garage site, which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

The Town Council comments on this application are still outstanding. Subject to a satisfactory response this application is considered to be acceptable.

### **Recommendation:-**

That Members authorise delegated powers to the Head of Planning and Place to approve this application subject to the receipt of positive comments from the Town Council and the following conditions:-

### **Conditions**

1. 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: -

Location Plan, scale 1:1250, received 21<sup>st</sup> September 2021;

Proposed Floor Plan and Elevations, received 21<sup>st</sup> September 2021;

Photograph of Front Elevation, received 21<sup>st</sup> September 2021;

Photograph of Rear Elevation, received 21<sup>st</sup> September 2021;

Photograph of Side Elevation, received 21<sup>st</sup> September 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.

2. Within three months of the date of this permission the walls of the garage must be finished with render in accordance with the details shown on the approved plans. Development must be carried out in accordance with the approved details and must be maintained as such at all times thereafter.

#### Reason

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

3. The garage must be used for the parking of private vehicles and the storage of domestic equipment only and for no commercial or business purposes whatsoever.

#### Reason

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

### 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.