

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2430/OF1	
2.	Proposed Development:	PROPOSED DORMER BUNGALOW AND ASSOCIATED WORKS	
3.	Location:	DRUMMORE, DRIGG ROAD, SEASCALE	
4.	Parish:	Seascale	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to a site known as Drummor, which fronts onto Drigg Road, located within the south of Seascale. The land currently houses a detached garage which has been used historically as a commercial coal yard. The site lies within a predominantly residential area and is situated on a small plot between bungalow style properties.	
	Relevant Planning History		
		4/21/2367/001 – Proposed outline planning application for dormer bungalow with full details of access, layout, scale, and landscaping with details of appearance reserved for future approval –	

Withdrawn

Proposal

This application seeks planning permission for the erection of a dormer bungalow and associated works. In order to accommodate this development the existing commercial use and garage will be removed from this site.

The proposed dwelling will measure 11m x 7m with an eaves height of 2.55m and an overall height of 5.7m. The proposal has been designed with a gable facing the highway. This elevation will benefit from a small canopy which will project from the front elevation of the dwelling by 0.95m and extend along this elevation by 3.1m, benefitting from an eaves height of 2.3m and an overall height of 3.7m.

Internally, the proposed development will incorporate a large hall, a lounge, a bathroom, a double bedroom and a kitchen/diner. The roof space of the proposed dwelling will accommodate two double bedrooms.

Externally, the proposed dwelling will be finished with white k-render with black facing brick plinths, marley flat concrete roof tiles, and black UPVC windows and doors. The proposed side facing windows, doors and roof lights will be fitted with Grade 5 obscure glazing.

The proposed dwelling will be served by the existing site access, however the driveway will be extended in order to accommodate turning and parking for three cars within the site. The driveway will be surfaced within Marshall Tegular permeable sets. The existing 900mm block wall will be retained along the road frontage of the site and around the perimeter, with a 1.8m hit and miss timber fence proposed along the rear and side boundaries of the land.

Discussions with the agent has led to a number of design changes to the proposed dwelling, these amendments have been the subject of reconsultation.

Consultation Responses

Seascale Parish Council

7th October 2021

No objections.

4th November 2021

No objections to the amendments.

Cumbria County Council – Cumbria Highways & LLFA

No objections subject to conditions relating to visibility splays, surface water drainage, and access and parking,

United Utilities

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice

Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Cumbria County Council – Resilience Unit

1st October 2021

No objections to the proposed works

1st November 2021

No further comments to make.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to eight properties. No comments have been received in relation to the statutory notification procedure.

Following the submission of amended plans for this application all neighbours were reconsulted on this application. One letter has been received in relation to this application confirming that there are no objection to the proposed planning application.

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 – Spatial Development Strategy

Policy ER10 – Land and Premises for Economic Development

Policy ER5 – Improving Quality of Employment Space

Policy ER6 – Location of Employment

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy T1 – Improving Accessibility and Transport

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

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

This application seeks planning permission for a single detached dwelling replacing an existing commercial garage unit. The key issues raised by this application relate to the principle of the development, the loss of a commercial unit, the scale, design, and impact on residential amenity, and highway safety.

Principle of Development

The site lies within the defined settlement boundary for Seascale, which is classified within the Copeland Local Plan as a Local Centre where new development within the defined physical limits of the settlement is appropriate. The application seeks to develop an existing brownfield site, which is supported by provisions within the NPPF and policy ST1 of the Copeland Local Plan, which promotes the reuse of existing buildings and previously developed land wherever possible, directing development away from greenfield sites.

Policies ST1 and ST2 along with Policies SS1, SS2, and SS3, seek to promote sustainable development to meet the need and aspirations of the Borough's housing market. These policies further concentrate development within the defined settlement boundaries in accordance with the

Borough's settlement hierarchy. The NPPF also seeks to support the Government's objective of significantly boosting the supply of housing through sustainable development.

On the basis of the above, it is therefore considered that the development would be in accordance with the aims and objectives of the NPPF which set a presumption in favour of sustainable development as well as the relevant policies of the adopted Copeland Local Plan. The principle of residential development is supported subject to site-specific matters.

Loss of Employment Premises

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate growth of the Borough's local economy. Policy ER7 seeks to promote the diversification of the Borough's economy by expanding new and expanding employment sectors, and by supporting the development of commercial units which meet the needs of business, encourage start up and promote further expansion in order to retain enterprise, jobs and skills within the Borough. Policy ER4 states that whilst the Council will maintain an adequate supply of land for economic development they should also identify site which are better suited to alternative uses. The NPPF also states that planning decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The application site currently includes a detached garage which has historically been used as a commercial coal yard. In order to accommodate the proposal for a single detached dwelling on this site the existing commercial use and garage will be removed. The agent for this application has confirmed that whilst the business will cease to operate from this site the business will continue from their main depot in Calderbridge. This will ensure that the business will not be lost from the Borough.

As the application site is located within a predominantly residential area, and is bounded on all sides by residential dwellings, the use of this site for commercial purposes is not considered to be a desirable use of the land and its redevelopment for residential purposes is considered to enhance the amenity of the nearby residential properties.

On this basis, the development is considered to comply with policy ST1, ER4, ER6 and ER7 of the Copeland Local Plan.

Scale, Design and Impact of Development

Local Plan Policies DM10, DM11, and DM12, and section 12 of the NPPF, seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity, and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

Originally, this application was submitted in outline form however based on concerns raised with regard to the small scale nature of the site and the issue relating to whether a development would be able to meet the required separation distances, this application was withdrawn and a full application submitted instead.

Based on the details submitted within the resubmitted full planning application concerns were again

raised with regard to the overall scale of the development. The site is a small restricted infill site within the residential area, therefore care needed to be taken to develop a property that would limit any harm to the residential amenity of the occupiers of the existing neighbouring properties. The agent for this proposal has designed the property to be a dormer style bungalow to reflect the scale of the adjacent properties, ensuring the development is not overbearing for the adjacent occurs. The footprint of the overall building has also been designed to create a small detached property, which reflects the building form and existing building line of the adjacent properties. However, given the scale of the site the required separation distances set out in policy DM12 could still not be met with the neighbouring properties to the east and west of the site. The majority of the existing windows facing into the site are fitted with obscuring glazing however the neighbouring property to the west (Annasdale) has two windows facing the site which the agent has confirmed serve non habitable rooms and are secondary windows. In order to address these concerns and mitigate the impact of this development upon neighbouring properties, the agent amended the scheme to ensure that the front elevation of the dwelling is set back into the site in order to ensure the development does not impact on these windows. Although the required separation distances cannot be met at this site, amendments have been secured to ensure the development is compatible with the built form of the existing residential area and is not overbearing for the existing residential properties, particularly as the height of the proposal is lower than the adjacent properties. Since the submission of the original outline planning application the proposed dwellings footprint has been reduced which has facilitated the structure being moved away from the boundary of the site, improving separation distances and the relationship with the adjacent properties. The removal of the existing commercial garage will also increase the separation distance with the property to the east (Chelford), which will enhance the amenity of the occupiers of this property. The submitted plans also indicate that any side facing doors, windows, and roof lights will be fitted with obscuring glazing. An appropriately worded planning condition is proposed to secure and retain this obscure glazing to further protect the amenity of the occupiers of the neighbouring dwellings. The inclusion of a 1.8m boundary fence will also safeguard amenity, again this will be secured by condition.

Concerns were also raised with regard to the overall design of the proposal. The original submitted details of this application failed to clarify how the development reflected the character of the local area. The agent updated the submitted design and access statement to provide justification for the proposal. The proposed dwelling is designed with a gable facing the main highway, this ensures that the proposed roof slopes away from neighbouring properties and the bulk of the development is within the centre of the site. Within the surrounding area the existing residential properties have a mixed character, with a number of these properties benefitting from front facing gables. The orientation of the dwelling is therefore considered to be acceptable in the context of the overall character of the area and surrounding streetscene. The proposed materials are also modern in nature, although they do reflect the mixed character of the area. Concerns were however raised with the design of the principle elevation facing the highway, which was devoid of any character. Following discussions with the agent a small porch canopy has been included on the front elevation of the property to break up this elevation, and to create a defined entrance point to the west.

No objections have been received from any neighbouring properties.

On the basis of the submitted amended plans for this proposal the design and layout of the proposed dwellings is therefore considered acceptable for this location. It is therefore considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Impact on Landscape and Settlement Character

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 application site is a brownfield site which lies within a predominantly residential area and is directly adjacent to a number of existing residential properties. As the development is surrounded by existing development the proposal is not considered to have an impact on the overall landscape and as the site is an infill plot the development is complementary to the existing built form of this part of the settlement.

The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the NPPF.

Access, Parking and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

The site currently benefits from an existing access which serves the existing garage which is utilised for commercial purposes. The proposed development seeks to utilise the existing access which is located to the south east corner of the site allowing access directly off Drigg Road. The existing driveway will be extended and surfaced with permeable paving in order to allow for the parking and turning of three cars. Cumbria Highways have offered no objections to this application subject to the inclusion of appropriately worded planning conditions relating to visibility splays, surface water drainage, and access and parking,

The inclusion of these requested condition will ensure the proposal complies with Policies T1 and DM22 of the Copeland Local Plan and will provide an accessible development with an acceptable parking provision.

Planning Balance

The principle for developing this brownfield site for a single dwelling is acceptable as the site is located within the settlement boundary for one of the Borough's Local Service Centres. The resulting loss of employment is insignificant to this application as the business operates within another location within the Borough. The removal of this employment use from this predominantly residential

	<p>area will improve the amenity of the occupiers of the directly adjoining properties. The proposal is to develop an infill plot within a built up area of the settlement which is consistent with the existing built form and character of the area, therefore the development of this site will have limited impacts on the settlement character.</p> <p>Whilst separation distances cannot be met as part of the development any impact on existing residential amenity can be mitigated through use of conditions. The provision of an additional dwelling will also help to meet the Council's housing targets, therefore it is considered that the benefits of reinstating the use of the site for residential purposes significantly and demonstrably outweigh any identified impacts from the development.</p> <p>On this basis the proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of 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"> - Existing Floor Plan, Ref: JG-DD-003, received by the Local Planning Authority on the 28th September 2021. - Existing Elevations (Amended), Scale 1:50, Ref: JG-DD-001, received by the Local Planning Authority on the 12th October 2021. - Proposed Plot Layout Plan (Amended), Scale 1:50, Ref: JG-DD-002, Rev C, received by the Local Planning Authority on the 19th October 2021. - Existing Floor Plan (Amended), Ref: JG-DD-003, received by the Local Planning Authority

on the 12th October 2021.

- Proposed Site and Block Plan (Amended), Scale 1:500 & 1:1250, Ref: JG-DD-004, Rec C, received by the Local Planning Authority on the 19th October 2021.
- Proposed & Existing Drainage Plan (Amended), Scale 1:150 & 1:500, Ref: JG-DD-005, Rec C, received by the Local Planning Authority on the 19th October 2021.
- Proposed Streetscape Plan (Amended), Scale 1:100 & 1:1250, Ref: JG-DD-006, Rev C, received by the Local Planning Authority on the 19th October 2021.
- Proposed Elevations & Floor Plan (Amended), Scale 1:50 & 1:150, Ref: JG-DD-007, Rev C, received by the Local Planning Authority on the 19th October 2021.
- Design and Access Statement (Amended), received by the Local Planning Authority on the 12th October 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.

Prior to Commencement Conditions:

3. The development must not commence until visibility splays providing clear visibility as show on the approved plan 'Proposed Streetscape Plan (Amended), Scale 1:100 & 1:1250, Ref: JG-DD-006, Rev C, received by the Local Planning Authority on the 19th October 2021' has been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind must be erected, parked or placed and no trees, bushes or other plants must be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

4. The development hereby approved must not be commenced until the access, parking and turning requirements have been constructed in accordance with the approved plan 'Proposed

Plot Layout Plan (Amended), Scale 1:50, Ref: JG-DD-002, Rev C, received by the Local Planning Authority on the 19th October 2021'. The approved access and parking provision must be retained and be capable of use when the development is completed and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

In the interests of highway safety.

Prior to Completion of Works Conditions:

5. All proposed measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be in accordance with approved plans:
 - Proposed Plot Layout Plan (Amended), Scale 1:50, Ref: JG-DD-002, Rev C, received by the Local Planning Authority on the 19th October 2021.
 - Proposed & Existing Drainage Plan (Amended), Scale 1:150 & 1:500, Ref: JG-DD-005, Rev C, received by the Local Planning Authority on the 19th October 2021.

These approved details must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

Prior to Occupation Conditions:

6. Prior to the first occupation of the dwelling hereby approved all side windows, doors and rooflights must be fitted with grade 5 obscuring glazing in line with the approved plan 'Proposed Elevations & Floor Plan (Amended), Scale 1:50 & 1:150, Ref: JG-DD-007, Rev C, received by the Local Planning Authority on the 19th October 2021'. Once installed the obscure glazing must be permanently retained at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties

7. Prior to the first occupation of the dwelling hereby approved the proposed boundary

treatment must be installed in accordance with the approved plan 'Proposed Plot Layout Plan (Amended), Scale 1:50, Ref: JG-DD-002, Rev C, received by the Local Planning Authority on the 19th October 2021'. Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

In the interest of residential amenity.

Other Conditions

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of the visual amenity of the area.

Informative:

The applicant should liaise with Cumbria County Council's Resilience Unit via emergency.planning@cumbria.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

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 : 15.11.2021
Authorising Officer: N.J. Hayhurst	Date : 18.11/2021
Dedicated responses to:- N/A	