

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2453/OF1	
2.	Proposed Development:	ERECT DETACHED DOUBLE GARAGE (PRIVATE USE)	
3.	Location:	GARAGE COMPOUND OFF LINGMELL CRESCENT, 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 an existing garage site located to the rear of Lingmell Crescent and Hallsenna Road. The site currently comprises a number of existing timber and block garages, all of which are in a poor state of repair.		
	Relevant Planning History		
	No relevant planning history.		
	Proposal		
	This application seeks planning permission for the erection of a detached double garage for private use. The proposed garage will measure 7.52m x 6.22m with an eaves height of 2.6m and an overall		

height of 4.2m. The development will be finished with roughcast render, flat grey roof tiles and grey roll up shutter type doors.

Access to the site will remain via the existing hardcore track of Lingmell Crescent. The existing right of access will be maintained at all times to the electric substation and to the rear of 4 and 6 Lingmell Crescent.

Consultation Responses

Seascale Parish Council

No objection.

Cumbria County Council – Cumbria Highways & Lead Local Flood Authority

5th November 2021

No objections subject to the inclusion of a condition relating to the turning and manoeuvring of vehicles.

29th November 2021

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Cumbria County Council – Resilience Unit

No objections to the proposed works.

Public Representation

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

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

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework (2021)

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 permission for the erection of a double garage on an existing garage site. This application raised issues around the principle of the development, scale, design and impact on residential amenity, and highway safety.

Principle of Development

The proposed application relates to an existing garage site located within a predominant residential area within the centre of Seascale. The proposal seeks permission for a double garage on this existing site which already benefits from a number of detached dilapidated garages. Policy ST2 of the Copeland Local Plan seeks to concentrate development within the Borough settlements at an appropriate scale. Seascale is listed under Policy ST2 as a Local Centre. Policy ST1 of the Copeland Local Plan also seeks to direct development away from greenfield sites to land that has previously been developed.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST1, ST2, and the NPPF guidance.

Scale, Design and Impact on Residential Amenity

Policy ST1, DM10 and section 12 of the NPPF seeks a high standard of design, fostering of quality places, and proposals, which respond to the character of the site.

The application seeks planning permission for the erection of a double garage located upon an existing garage site, which is bounded on all sides by residential properties. The proposed garage will be built adjacent to the boundary for the residential property, 4 Lingmell Crescent. Whilst the footprint of the garage is large in scale, the eaves and overall height of the development have been kept to a minimum to limit the impacts on the adjacent residential property. The location of the proposal is also not considered to reduce the natural light to the amenity space of this dwelling given its siting to the north of the garden area. The submitted design and access statement for this application also confirms that the proposed garage has been sited in this location in order to minimise the impact on the surrounding well established trees and their root protection zones, in the only part of the site available for new development.

The existing garage site currently benefits from a number of single garage structures, most of which are in a state of disrepair. Whilst the proposed double garage is larger in scale than the existing garages and is more modern in appearance, the design of the proposal and the proposed roof design is considered to reflect the character of the surrounding residential dwellings. Given the location of the development the proposal is not considered to have a detrimental impact on the overall streetscene as it will be viewed in the context of the existing site and surrounding residential developments.

The application states that the proposed double garage is for private use only. In order to ensure that non-conforming uses are not introduced into the area and in order to further protect residential amenity, an appropriately worded planning condition will be attached to this decision notice in order to ensure the garage is not used for any commercial or business purposes.

On the basis of the above and the inclusion of this condition, the development is considered to comply with the Policies of the Copeland Local Plan and the provisions of the NPPF.

Highway Safety

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.

As the proposal is to create a new garage development, Cumbria Highways have been consulted upon this application. Initially, Cumbria Highways confirmed that they had no objections to the proposal, subject to the inclusion of a condition relating to the turning and manoeuvring of vehicles. In order to avoid discharging this requested condition the agent has submitted an amended block plan to show the proposed turning area for the development. Further to this amended details Cumbria Highways have confirmed that they have no objections to the application. However, in order to ensure this required turning area is implemented and retained at this site an appropriately worded planning condition has been placed on this decision notice.

Although no objections have been received in relation to the proposed development, a telephone conversation was had with a neighbouring property who was concerned that his right of access over

	<p>the land would be impeded by the proposal. The submitted plans for this application confirm that rights of access to existing residential properties will be maintained.</p> <p>The proposal is therefore considered to comply with policies DM22 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.</p> <p><u>Planning Balance & Conclusion</u></p> <p>The proposal for a detached double garage is considered to be an appropriate development given the current use of the site as a garage complex. The proposal is considered to be of an appropriate scale and design, and will not have any detrimental impact on the overall streetscene. The construction of the requested turning space and the proposed use of the site can be controlled through condition in order to further mitigate the impacts of the development on the surrounding residential properties. On this basis, the development 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.</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"> - Site Plan, Block Plan, Section A.A, and Proposed Elevations & Floor Plans, Scale 1:50, 1:100, 1:300, and 1:1250, Drawing No: 1718, received by the Local Planning Authority on the 14th October 2021. - Design and Access Statement, received by the Local Planning Authority on the 14th October 2021.

- Amended Block Plan – Showing Turning Area, Scale 1:300, received by the Local Planning Authority on the 16th November 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 Occupation Conditions:

3. Prior to the first use of the garage hereby approved, the provision for turning and manoeuvring must be constructed in accordance with the approved plan 'Amended Block Plan – Showing Turning Area, Scale 1:300, received by the Local Planning Authority on the 16th November 2021'. The approved manoeuvring areas must be kept available for those purposes at all times thereafter and must not be used for any other purpose.

Reason

To ensure that all vehicles can be properly and safely accommodated clear of the highway.

Other Conditions:

4. The garage hereby approved must only be used for the housing/parking of private vehicles and domestic equipment only, and for no commercial or business purposes whatsoever.

Reason

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

Informatives:

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 : 30.11.2021
Authorising Officer: N.J. Hayhurst		Date : 09/12/2021
Dedicated responses to:- N/A		