

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

|    |   |   |
|----|---|---|
| 1. | <b>Reference No:</b>  | 4/21/2549/OF1   |
| 2. | <b>Proposed Development:</b>  | ERECTION OF A DETACHED GARAGE   |
| 3. | <b>Location:</b>  | 13 EDEN DRIVE, MORESBY PARKS  |
| 4. | <b>Parish:</b>  | Moresby   |
| 5. | <b>Constraints:</b>   | ASC;Adverts - ASC;Adverts,<br>Coal - Standing Advice - Data Subject To Change   |
| 6. | <b>Publicity Representations &amp;Policy</b>  | Neighbour Notification Letter: YES<br><br>Site Notice: NO<br><br>Press Notice: NO<br><br>Consultation Responses: See report<br><br>Relevant Planning Policies: See report |
| 7. | <b>Report:</b><br><br><b>SITE AND LOCATION</b><br><br>This application relates to 13 Eden Drive, a detached property situated on an existing housing estate within the Moresby Parks area of Whitehaven. The site benefits from an existing driveway and a large garden.<br><br><b>PROPOSAL</b><br><br>Planning Permission is sought for the erection of a detached garage to the side of the dwelling. The garage will be 4.8 metres in width and 6 metres in depth. It will have a pitched roof with an overall height of 3.8 metres. It has been designed to include garage door on the front elevation and an access door on the rear elevation. The side elevations will be blank. It will be finished with dry dash render and grey concrete roof tiles to match the existing property. |   |

## **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for a bathroom extension (ref: 4/97/0400/1).

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No comments received.

### 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 5 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 Moresby Parks and it will provide a 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 proposed garage will be appropriately located to the side of the property and it will be relatively modest in scale. It will be located behind the principal elevation and therefore this will ensure that the proposal appears subservient to the main dwelling. 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 and this will ensure the garage will not be excessively prominent within the locality.

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 proposed garage will be suitably located to the side of the dwelling and it will be stepped away from the boundary by 1.2 metres. The scale is also relatively modest and the pitched roof design will reduce overshadowing. In addition, the design does not include any windows and therefore overlooking concerns are mitigated.

On this basis, it is therefore considered that the garage proposal will not have a significant impact on

|    |  |
|----|--|
|    | <p>the neighbouring amenity and therefore it complies with Policies DM10, 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 visit confirmed that the existing off-street parking located to the front of the property will provide adequate parking to serve the needs of the property. The Highway Authority raised no objections as part of the consultation process as the extension will not have a material effect on existing highway conditions.</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 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></p> <p>Approve (commence within 3 years)</p>   |
| 9. | <p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <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> </li> <li> <p>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: -</p> <p>Application Form, received 16<sup>th</sup> December 2021;<br/> Location Plan, scale 1:1250, received 16<sup>th</sup> December 2021;<br/> Proposed Floor Plan and Elevations, scale 1:100, received 16<sup>th</sup> December 2021;<br/> Proposed Garage Construction Notes, received 16<sup>th</sup> December 2021.</p> <p>Reason</p> </li> </ol>   |

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 : 03/02/2022**

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

**Date : 09/02/2022**

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