

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2550/OF1
2.	<b>Proposed Development:</b>	INSTALLATION OF DROPPED KERB TO CREATE ACCESS TO FRONT GARDEN FOR OFF ROAD PARKING
3.	<b>Location:</b>	31 GOSFORTH ROAD, SEASCALE
4.	<b>Parish:</b>	Seascale
5.	<b>Constraints:</b>	<p>ASC;Adverts - ASC;Adverts,</p> <p>Safeguard Zone - Safeguard Zone,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Potential areas for Natterjack Toads,</p> <p>DEPZ Zone - DEPZ Zone,</p> <p>Outer Consultation Zone - Drigg 3KM,</p> <p>Outer Consultation Zone - Sellafield 10KM</p>
6.	<b>Publicity Representations &amp;Policy</b>	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: NO</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p><b>Report:</b></p> <p><b>LOCATION</b></p> <p>This application relates to 31 Gosforth Road, a semi-detached property located within the Seascale. The site currently benefits from a large front/side garden.</p>	

**PROPOSAL**

Planning Permission is sought for the installation of a vehicle access and driveway within the front garden. The driveway will measure 8.6 metres in width and 4.8 metres in depth. It will be surfaced in tarmac and it will include an aco-drain along the front of the driveway adjacent to the pavement.

**RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

**CONSULTATION RESPONSES**Seascale Parish Council

No objection.

Highway Authority and Lead Local Flood Authority

No objection subject to the inclusion of planning conditions on the Notice of Consent relating to:

- Access gates;
- Surface water details;
- Visibility splays;
- Bituminous bound materials ;
- Boundary fence heights.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties - No objections have been received as a result of this consultation process.

**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 and the potential impacts on highway safety.

#### Principle of Development

The proposed application relates to a residential dwelling within Seascale and it will provide off-street parking within the front garden and a vehicle access onto a classified road. Policy DM18 supports alterations to residential properties subject to detailed criteria, which are considered below and Policy DM22 encourages developments to include off-street parking.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18, DM22 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 development will be modest in scale and appropriately located within the front garden. The design is suitable for its use and the choice of materials are considered to be appropriate. This will ensure it will not be excessively prominent in the locality and it will reflect other driveways along the street.

On this basis, the proposal is considered to respect the character and appearance of the dwelling and

	<p>therefore it satisfies Policies DM10, DM18 and the NPPF guidance.</p> <p><u>Highway Safety</u></p> <p>Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The site visit confirmed there are existing driveways within the front gardens along Gosforth Road and therefore the principle of off-street parking is acceptable. In addition, the creation of off-street parking is supported by the Copeland Local Plan and the Cumbria Development Design Guide.</p> <p>The Highway Authority has raised no objections subject to planning conditions to secure the installation of suitable pedestrian visibility splays, drainage, surfacing and boundary fences are. The proposed plans outline that the new driveway will be surfaced in tarmac and it will include an aco drain to soakaway. This will ensure the driveway will not increase surface water discharge onto or off the highway.</p> <p>In addition, the applicant might be required to apply for a permit from the Cumbria County Council Streetworks department to alter the driveway access and dropped kerb. It is therefore appropriate to include these details as an informative note.</p> <p>On this basis, the proposal is not considered to have a material effect on the existing highway conditions and the vehicle access and off-street parking is considered to meet Policy DM22 and the standards set out in the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposal will be of an appropriate scale and design and will not have any detrimental impact on highway safety. On this basis, the proposal 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>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>2. This permission relates to the following plans and documents as received on the respective</li> </ol>

dates and development must be carried out in accordance with them: -

Application Form, received 16<sup>th</sup> December 2021;  
Site Location Plan, scale 1:1250, received 16<sup>th</sup> December 2021;  
Proposed Driveway Plans, received 16<sup>th</sup> December 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.

3. A 2.4 metre x 2.4 metre pedestrian visibility sight splay as measured from the footpath boundary must be installed on both sides of the vehicular access prior to the first use of the access hereby approved. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason

To ensure that adequate visibility is provided in accordance with Policy DM22 of the Copeland Local Plan.

4. The driveway must be surfaced in bituminous bound material in accordance with the details set out in approved Driveway Plan received by the Local Planning Authority on 16<sup>th</sup> December 2021, and it shall be constructed and completed before the development is brought into use. The surfacing of the driveway shall be maintained in accordance with these details thereafter.

Reason

In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.

5. Prior to the first use of the access hereby approved any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05 metres above the carriageway level of the adjacent highway and shall not be raised to a height exceeding 1.05 metres thereafter.

Reason

In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.

	<p><b>Informative Notes</b></p> <ol style="list-style-type: none"> <li>Any works within the Highway must be agreed with the Highway Authority. Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain an appropriate permit. Enquires should be made to Cumbria County Councils Streetwork's team <a href="mailto:streetworks.west@cumbria.gov.uk">streetworks.west@cumbria.gov.uk</a></li> <li>Access gates, if provided, must be hung to open inwards only away from the highway.</li> </ol> <p><b>Statement</b></p> <p>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.</p>	
Case Officer: C. Unsworth	Date : 04/02/2022	
Authorising Officer: N.J. Hayhurst	Date : 09/02/2022	
Dedicated responses to:- N/A		