



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2018/OF1
2.	Proposed Development:	DETACHED GARAGE/OUTBUILDING
3.	Location:	106 TARNSIDE, BRAYSTONES
4.	Parish:	Lowside Quarter
5.	Constraints:	<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 - Sellafield 10KM</p>
6.	Publicity Representations &Policy	<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>Report:</p> <p>SITE AND LOCATION</p> <p>This application relates to 106 Tarnside, a detached property located within Braystones.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a detached garage/outbuilding to provide space for a domestic art/music room and a garage for motorbike storage and repairs. The outbuilding will have an overall width of 9.933 metres and a depth of 9.01 metres including the garage and 3.3 metres for</p>	

the art room. It has been designed to include a mono-pitched roof with an eaves height of 2.5 metres and an overall height of 4.2 metres. The design includes a garage door, an access door and one full height floor to ceiling window on the front elevation and the side elevation facing the garden will include patio doors. The rear and side elevations along the boundary will be blank. The proposal also includes solar voltaic panels on the roof and it will be finished in render, slate roof tiles, a roller-shutter garage door and white UPVC windows and doors to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Lowside Quarter Parish Council

No comments received.

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 residential amenity.

Principle of Development

The proposed application relates to a residential dwelling and it will provide a replacement detached garage/rear outbuilding. 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 outbuilding will be relatively modest in scale and appropriately sited within the rear garden. Due to the siting, it will not be excessively prominent within the locality or overbearing for the neighbouring properties. In addition, the design of outbuilding is considered to be suitable for its use and the choice of materials are considered to respect the existing character and appearance of the existing property and the surrounding residential area.

On this basis, the proposal is considered to meet Policies DM10 and DM18 and the NPPF guidance.

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 proposal will be appropriately located within the rear garden and it will replace an existing detached garage. Due to the modest scale and height, the proposed garage/outbuilding is not considered to be excessively overbearing or cause a significant loss of light on the surrounding

	<p>neighbours. In addition, there are no proposed windows included on the side and rear elevations along the boundary and the neighbouring garage will mitigate overlooking concerns from the patio doors on the side elevation.</p> <p>Due to the proposed use as an art/music room and motorbike storage and repair, it is appropriate to attach a planning condition to ensure the outbuilding remains domestic in nature. The applicant has also provided reassurance the outbuilding will provide space for their hobbies and it will not relate to a business. This will help to minimise impact on the amenities of the occupiers of surrounding dwellings and ensure that non-conforming uses are not introduced into the area.</p> <p>On this basis, the proposal is considered to comply with Policy 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 proposed garage/outbuilding will be located within the rear garden and it will not interfere with the off-street parking provision. On this basis, the site access and off-street parking for two vehicles will remain unchanged to the side of the property. It is therefore considered that the existing driveway will provide adequate off-street parking to meet the needs of the property and the proposal will not have a detrimental effect on the existing highway conditions.</p> <p>On this basis, the proposal is considered to meet Policy DM22 and the Cumbria Development Design Guide standards.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed outbuilding is of an appropriate scale and design and it will not have any detrimental impact on the amenities of the adjoining properties or highway safety. In addition, the planning condition can control the use to further protect neighbouring amenity.</p> <p>On balance, the detached garage/outbuilding 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence 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</p>

Planning and Compulsory Purchase Act 2004.

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: -

Location Plan, scale 1:2500, drawing no. 21/0323/01, received 11th January 2022;
Existing Block Plan, scale 1:200, drawing no. 21/0323/01, received 11th January 2022;
Proposed Floor Plan and Elevations, scale 1:50, drawing no. 21/0323/02, received 11th January 2022;
Proposed Roof Layout Plan, scale 1:50, drawing no. 21/0323/03, received 11th January 2022;
Proposed Elevation, scale 1:50, drawing no. 21/0323/04, received 11th January 2022;
Proposed Elevation, scale 1:50, drawing no. 21/0323/05, received 11th January 2022;
Proposed Section, scale 1:50, drawing no. 21/0323/06, received 11th January 2022;
Proposed Block Plan, scale 1:200, drawing no. 21/0323/07, received 11th January 2022;
Email from the applicant confirming the proposed White UPVC windows, doors and fascia, received 10th March 2022.

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. The outbuilding 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.

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 : 11/03/2022
Authorising Officer: N.J. Hayhurst	Date : 16/03/2022
Dedicated responses to:- N/A	