

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2049/OF1
2.	Proposed Development:	PROPOSED DETACHED GARAGE - RESUBMISSION OF 4/21/2480/OF1 DUE TO DESIGN CHANGE
3.	Location:	LAND BEHIND 1 EARLS ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to a garage block behind 1 Earls Road, located within the Bransty area of Whitehaven. The site is currently occupied by a number of small detached garages. PROPOSAL Planning Permission is sought for the erection of a detached garage (resubmission). The proposed garage will be 6.3m in width and 5.4m in depth. It will include a pitched roof with an overall height of 4.6m and an eaves height of 2.4m. The design includes a garage door on the front and the side and rear elevations will be blank. It will also be finished in render, grey roof tiles and shutter garage doors and it will be lit by 2 roof lights.	

RELEVANT PLANNING APPLICATION HISTORY

Proposed Detached Garage (ref 4/21/2480/0F1) – Withdrawn

CONSULTATION RESPONSES

Whitehaven Town Council

No comments received.

Highways Authority

Standing advice.

Lead Local Flood Authority

Standing advice.

Public Representations

Public representations for this application have been advertised by way of site notice and neighbour notification letters issued to 5 no. properties.

No objections have been received as a result of this consultation, although one neighbour requested confirmation of the proposed garage height.

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 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 and highway safety.

Principle of Development

Policy ST2 seeks to direct development to the most sustainable locations. The proposal includes development within the existing garage block in Bransty, which is located within the settlement boundary of Whitehaven.

On this basis, the proposal represents an appropriate form of development in this location, consistent in principle with the provisions of Policy ST2 of the Local Plan.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seeks to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

The proposed garage will be appropriately sited, adjacent to existing garages and it will be relatively modest in scale. The design respects the character of the overall site, which comprises a collection of small garage units. Externally, the building would be finished render, roof tiles and a shutter garage door, which is typical of the area.

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

Residential Amenity

Policy ST1, DM10 and section 12 of the NPPF seek to safeguard good levels of residential amenity.

Due to the proposed location and relationship with the neighbouring garages, it is considered that there will be no detrimental impact on residential amenity. It will not be excessively overbearing on the surrounding residential properties as it will be stepped away from the rear boundary and the

	<p>grass verge to the side will remain. In addition, no windows are proposed on the side elevation, which mitigates overlooking concerns.</p> <p>The garage proposal is not materially different from the existing garage, although it is appropriate to attach a planning condition to ensure the garage use remains domestic in nature and that non-conforming uses are not introduced into the area.</p> <p>On this basis, the garage is considered to comply with Policy DM10 of the Local Plan.</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 to avoid vehicles dominating the street scene.</p> <p>The garage will be located on an existing garage site with a suitable access off an unclassified road. The Highways Authority provided standing advice and therefore it is considered that the garage is unlikely to have an adverse impact on the existing highway conditions.</p> <p>On this basis, the proposed garage 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 proposed garage is of an appropriate scale and design and would not have any detrimental impact on the amenities of the surrounding garages and residential properties. In addition, the proposal would not have an impact on existing highway conditions and highway safety.</p> <p>Overall, the proposal is considered to be an acceptable form of development within the existing garage site, 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 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: -

Application Form, received 31st January 2022;
Location Plan, scale 1:1250, drawing no. 316-01001-01, received 31st January 2022;
Block Plan, scale 1:500, drawing no. 316-01002-02, received 31st January 2022;
Proposed Site Plan, scale 1:100, drawing no. 316-04002-01, received 31st January 2022;
Proposed Floor and Roof Plan, scale 1:50, drawing no. 316-04001-03, received 31st January 2022;
Proposed Elevations, scale 1:50, drawing no. 316-05001-03, received 31st January 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 garage 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.

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

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 : 22/03/2022
Authorising Officer: N.J. Hayhurst	Date : 23/03/2022
Dedicated responses to:- N/A	