

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2122/OF1
2.	<b>Proposed Development:</b>	PROPOSED DETACHED DOUBLE GARAGE
3.	<b>Location:</b>	39 WOODLANDS AVENUE, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  This application relates to 39 Woodlands Avenue, a semi-detached property located on an existing housing estate within Whitehaven. The site is a large corner plot and it benefits from an existing vehicle access and boundary wall/hedge.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a detached garage to the side of the dwelling. The garage will be 5 metres in width and 6 metres in depth. It will have a pitched roof with an eaves height of 2.5 metres and an overall height of 4.18 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 render, roof tiles, a white UPVC rear door and a standard double garage door to match the existing property.	

## **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at the site.

## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No objections.

### Highway Authority

Standing Advice.

### Lead Local Flood Authority

Standing Advice.

### Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

No objections have been received as a result of this consultation process, although one neighbour raised concerns that the installation of the footings may impact the adjacent retaining wall and border, due to the change in levels with the neighbouring property.

## **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 DM12 – Standards for New Residential Developments

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 Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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

The proposed application relates to a residential dwelling on an existing housing estate within Whitehaven and it will provide a detached garage. Policy DM18 supports extensions and alterations 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 not project forward of the principal elevation of the dwelling and it will appear subservient to the main dwelling. The design is considered to be suitable for its use as a domestic garage and the choice of materials will match the existing character and appearance of the existing property. This will ensure the garage will not be excessively prominent within the locality.

On balance, the proposal is considered to reflect the character and appearance of the existing dwelling and there it complies with Policies DM10 and DM18(A) and the NPPF guidance.

### Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential

	<p>amenity of the parent property or adjacent dwellings.</p> <p>Significant consideration has been given regarding the potential impact on neighbouring amenity due to the change in levels with the adjacent neighbour, no. 32 Highfields. Although due to the offset angle of the boundary and the siting of the garage to the north, the garage is considered to be suitably located and it will not be excessively overbearing. The scale is relatively modest and the pitched roof design will also reduce overshadowing.</p> <p>In addition, the design does not include any windows and therefore overlooking concerns are mitigated.</p> <p>On this basis, the proposal is not considered to cause unacceptable harm to residential amenity and therefore it will satisfy 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 site visit confirmed that the site benefits from an existing dropped kerb and vehicle access and hard standing for two off-street parking spaces. This off-street parking provision is supported by Policy DM22 and the Highway Authority and therefore it is considered that the application site will provide adequate off-street parking to meet the needs of the property.</p> <p>On this basis, the proposal will not have a detrimental effect on the existing highway conditions and therefore it is considered to satisfy Policy DM22 and the Cumbria Development Design Guide standards.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed detached garage is of an appropriate scale and design and would not have any detrimental impact on the amenities of the adjoining properties or highway safety.</p> <p>The concerns regarding the installation of the footings and the impact it may have on the adjacent retaining wall and border are not material planning consideration and therefore cannot be taken into account in the application assessment. Although, the concerns have been passed onto the agent and applicant, who believe that the proposal will not have any effect on the structural integrity of the retaining wall. In addition, it has been discussed with the applicant that should any concerns arise once construction starts that a structural engineer should be consulted.</p> <p>On balance, the garage 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> Approve (commence within 3 years)</p>

9. **Conditions:**

1. The development hereby permitted must commence before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the 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: -

Application Form, received 9<sup>th</sup> February 2022;

Location Plan, scale 1:1250, drawing ref 003A, received 9<sup>th</sup> February 2022;

Block Plan, scale 1:100, drawing ref 002B, received 9<sup>th</sup> February 2022;

Proposed Double Garage Floor Plan and Elevations, scale 1:50, drawing ref 001B, received 9<sup>th</sup> February 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.

**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.

<b>Case Officer: C. Unsworth</b>	<b>Date : 11/04/2022</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 11/04/2022</b>
<b>Dedicated responses to:- N/A</b>	