

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2160/OF1
2.	<b>Proposed Development:</b>	DRIVEWAY ACCESS & DROPPED KERB
3.	<b>Location:</b>	14 DERWENTWATER ROAD, 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.	<p><b><u>Location</u></b></p> <p>This application relates to 14 Derwentwater Road, a semi-detached property located within the Mirehouse area of Whitehaven. The site is located on the corner of an unclassified road and currently benefits from a large front garden on a slight incline.</p> <p><b><u>Proposal</u></b></p> <p>Planning Permission is sought for the installation of a new driveway access and dropped kerb within the front garden of this property. The driveway will measure 6.2 metres in length, and 5 metres in width. It will be surfaced in 25mm tarmac on a 50mm binder course on 150mm Cat 4 Type 1 granular aggregate compacted sub-base. Additional drainage will also be installed via an ACO B125 channel drain across the front of the drive where it joins onto the highway. This will be connected to a soak away.</p>	

**Relevant planning history**

There have been no previous planning applications at this property.

**Consultation Responses****Whitehaven Town 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 4 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 Whitehaven which will provide off-street parking. Policy DM18 supports alterations to residential properties subject to detailed criteria of design and amenity, which are considered below. Policy DM22 encourages car parking provisions in accordance with adopted residential parking standards, to include off-street parking.

On this basis, the principle of the development is therefore considered to be acceptable as the proposal 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. The addition of an ACO drain at the base of the driveway is suitable in ensuring that water run-off is directed away from the public highway. The proposal is not considered to be excessively prominent in the streetscape and will reflect other driveways in the wider locality.

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. A site visit confirmed the general lack of existing off-street parking provisions within this built-up residential area. This results in a large volume of vehicles parked both on the road, over the pavements and on a corner in close proximity to a road junction. Therefore, the principle of off-street parking is both necessary and acceptable to avoid vehicles dominating the street scene. In addition, the creation of off-street parking is supported by the Copeland Local Plan and the Cumbria Development Design Guide.</p> <p>Following the receipt of a consultation response from the Highway Authority, no objections were raised subject to planning conditions being included. These conditions will ensure suitable pedestrian visibility splays, drainage, surfacing, and boundary fences are installed and maintained.</p> <p>The proposed plans outline the new driveway will be surfaced in a tarmac material with the addition of an ACO drain connected to a soak away which will ensure the driveway will not increase surface water discharge onto or off the highway. In addition, the applicant may also be required to apply for a permit from the Cumbria County Council Street works 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 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 off-street parking 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 be commenced 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>

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Application Form, received 6<sup>th</sup> April 2022;

Site Location Plan, scale 1:1250, Site Location Plan, scale 1:500, Block Plan (showing proposed), scale 1:200, drawing ref 1803-01, received 6<sup>th</sup> April 2022

Existing plot plan, scale 1:50, drawing ref 1803-02 received 6<sup>th</sup> April 2022

Proposed drop kerb dimensions, scale 1:20, drawing ref 1803-03, received 6<sup>th</sup> April 2022

Proposed layout plan (amended), scale 1:50, drawing ref 1803-03, received 18<sup>th</sup> May 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. 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 its first use. 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. Prior to the first use of the driveway hereby approved, the proposed off-street parking must be surfaced and drained in accordance with the details set out on the Proposed Layout plan (amended), scale 1:50, drawing ref 1803-03, received by the Local Planning Authority on 18<sup>th</sup> May 2022, and it shall be constructed and completed before the development is brought into use. The surfacing and draining 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.

#### **Informatives**

1. Access gates, if provided, should be hung to open inwards only away from the highway.
2. Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain a permit from the widened driveway access and dropped kerb. Enquires should be made to Cumbria County Councils Streetwork's team [streetworks.west@cumbria.gov.uk](mailto:streetworks.west@cumbria.gov.uk)

3. 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: Demi Crawford**

**Date : 24/05/2022**

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

**Date : 30.05.2022**

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