



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2174/OF1
2.	<b>Proposed Development:</b>	ERECTION OF A SINGLE STOREY DETACHED GARAGE
3.	<b>Location:</b>	WILLOW CROFT, 14 GILGARRAN PARK, GILGARRAN
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Bounds of Sensitive Area for Hen Harriers, Outer Consultation Zone - Cycliffe 3KM
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>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to Willow Croft, 14 Gilgarran Park, a detached property situated within Gilgarran. The site benefits from an existing driveway and a large garden.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought to erection of a detached garage to the rear of the dwelling.</p> <p>The garage will measure 6.1 metres in width and 10.6 metres in depth. It will have a pitched roof with an overall height of 5 metres and an eaves height of 2.5 metres. It has been designed to include garage door on the front elevation and two access doors on the side elevation facing the garden. The</p>

rear elevation and side elevation facing the boundary will be blank. It will be finished with white K-render, grey concrete roof tiles and UPVC doors to match the existing property and the garage door will be a roller shutter.

### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the replacement of a small flat roof garage with a larger pitched roof garage, form kitchen/utility room extension to east elevation and relocation oil storage tank (ref: 4/14/2387/0F1).

### **CONSULTATION RESPONSES**

#### Distington Parish Council

No objections.

#### Highways and Lead Local Flood Authority

Standing Advice.

#### Cumbria County Council Resilience Unit

No objections.

#### Public Representation

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.

### **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 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.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy H14PU – Domestic Extensions and Alterations

Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

**ASSESSMENT**

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on residential amenity and highway safety.

Principle of Development

The proposed application relates to a residential dwelling within Gilgarran and it will provide a detached garage. 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 garage will be located in the rear corner of the site and it will be stepped away from the boundary by 1.5 metres along the front elevation of the garage and 3.2 metres along the rear

elevation. It is therefore considered to be appropriately located behind the principal elevation of the dwelling and it will be relatively modest in scale.

Despite the 5-metre overall height of the garage, it will sit below the ridge line of the existing property and therefore this will ensure that the scale appears subservient to the main dwelling. It will not be excessively overbearing for the neighbouring properties and the design is considered to be suitable for its use.

In addition, the choice of materials are considered to respect the existing character and appearance of the existing property and this will ensure the garage will not be excessively prominent within the locality.

On this basis, the proposal is considered to meet Policies DM10 and DM18 of the Local Plan.

#### 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.

Whilst overlooking and overshadowing issues between the proposed detached garage and the neighbouring properties were considered, due to the siting within the site adjacent to the existing boundary fence, it is considered that the proposal will not cause a significant loss of light on the neighbouring property.

In addition, the design does not include any windows on the side elevation facing the boundary and therefore overlooking concerns are mitigated.

Whilst no concerns were raised as a result of the neighbour consultation process, in the interest of residential amenity, a planning condition is proposed to ensure the garage remains domestic in use.

On this basis, it is therefore considered that the garage proposal will have minimal impacts on neighbouring amenity and therefore it complies with Policies DM10, DM18 and the NPPF guidance.

#### Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.

The site visit confirmed that the existing off-street parking located to the front of the property will provide adequate parking to serve the needs of the property. The garage development is therefore not considered to have a material effect on existing highway conditions.

On this basis, the proposal is considered to meet Policy DM22 and standards set out in the Cumbria Development Design Guide.

#### Nutrient Neutrality

Although the site falls within the catchment area for the River Derwent and Bassenthwaite Lake SAC it relates to householder development which is exempt from requirements to assess impacts on nutrient neutrality.

	<p><u>Planning Balance and Conclusion</u></p> <p>The proposed detached garage is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties or highway safety. It 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></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <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> </li> <li> <p>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: -</p> <p>Application Form, received 20<sup>th</sup> April 2022;  Site Plan, scale 1:2500, sheet 1, received 20<sup>th</sup> April 2022;  Block Plan, scale 1:500, sheet 1, received 20<sup>th</sup> April 2022;  Existing and Proposed North and South Elevations, scale 1:100, sheet 2, received 20<sup>th</sup> April 2022;  Existing and Proposed East and West Elevations, scale 1:100, sheet 3, received 20<sup>th</sup> April 2022;  Existing and Proposed Floor Plan, scale 1:100, sheet 4, received 20<sup>th</sup> April 2022.</p> <p>Reason</p> <p>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.</p> </li> <li> <p>The garage must be used for the parking of private vehicles and the storage of domestic equipment only in association with the residential property known as Willow Croft, 14 Gilgarran Park and for no commercial or business purposes whatsoever.</p> <p>Reason</p> </li> </ol>

To ensure that non-conforming uses are not introduced into the area in accordance with Policy DM18 of the Copeland Local Plan.

**Informative Note**

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: C. Unsworth**

**Date : 08/06/2022**

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

**Date : 13/06/2022**

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