



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2225/OF1
2.	<b>Proposed Development:</b>	ERECTION OF NEW DETACHED GARAGE WITH ACCESS ONTO EXISTING LAY-BY TO REPLACE PEDESTRIAN GATE
3.	<b>Location:</b>	BECKSIDE FARM, DISTINGTON
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, 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: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  <p>This application relates to the property known as Beckside Farm, located to the north of the road which runs from Distington towards Gilgarran. The site lies outside of the main built up area of Distington.</p> <p>The site is accessed from a road running from the west which serves the two dwellings at Beckside Farm. In September 2020, planning permission was approved for the demolition of the existing barn and the erection of a replacement dwelling on the site. Further approval was granted in August 2021 for the erection of a second dwelling, to the east.</p>	

## **PROPOSAL**

This application seeks planning permission for the erection of a detached garage on the land to the west of the main dwelling, within the garden area.

The garage is to be 7.2m x 5.6m, with an eaves height of 2.1m and an overall height of 3.9m. The roof will be dual pitched. There will be a pedestrian door in the north elevation and a roller shutter door in the east elevation.

The garage will be constructed from modern materials to complement the main dwelling, including a slate roof, rendered walls and metal roller shutter door.

## **RELEVANT PLANNING APPLICATION HISTORY**

Demolition of farmhouse and replacement dwelling, approved in September 2020 (application reference 4/20/2181/0F1 relates);

Demolition of existing barn and erection of dwelling, approved in August 2021 (application reference 4/21/2143/0F1 relates).

## **CONSULTATION RESPONSES**

### Distington Parish Council

No objections.

### Environment Agency

The application is supported by a brief Flood Risk Assessment that correctly states that the proposed garage is to be located in flood zone 1, adjacent to the road, and is away from fluvial flood risk. We have no objection to the proposal as submitted.

### Flood and Coastal Drainage Engineer

1<sup>st</sup> response

With regards to the above application, there is no information as to how the surface water is to be disposed of.

Can you ask the applicant to provide this information.

2<sup>nd</sup> response

As the response states, if percolation testing does not work, then attenuation to the watercourse can be undertaken.

I'm happy that surface water can be disposed of adequately and therefore, I have no objection to the proposed development.

#### Public Representation

The application has been advertised by way of a site notice and a neighbour notification letter issued to 1 no. property.

No comments have been received as a result of these advertisements.

#### **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

Policy ENV1 – Flood Risk and Risk Management

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Development

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

#### **Other Material Planning Considerations**

National Planning Policy Framework 2021 (NPPF)

#### Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently 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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development  
Policy DS6PU: Design and Development Standards  
Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

## **ASSESSMENT**

### Principle of the Development

Policy DM18 of the Copeland Local Plan seeks to allow the erection of domestic extensions provided that they meet a number of criteria. With regards to the principle of the building on the site, it is considered to be acceptable as the garage will be utilized in conjunction with the main dwelling. Furthermore, the garage will not result in the loss of 50% or more of the undeveloped curtilage of the parent dwelling, leaving a large garden to the front, rear and side of Beckside Farm.

### Effect on the Surrounding Area

The proposed building is significantly sized, however it has been designed in order to create as little impact on the surroundings as possible. The garage has been designed with a steeply pitched roof, with a low eaves height but high ridge. The low eaves allows the garage to remain subservient to the surrounding properties and the steep pitch reduces the overall bulk of the building. It has been orientated so that the width of the building is viewed when travelling along the road joining Distington to Gilgarran, therefore lessening its visual impact. Furthermore, there is a significant drop in height from the road level to the level that the garage will sit, therefore reducing the overall height when viewed from the surrounding area. There is an established hedge fronting the road that will also help to soften and screen the development.

On this basis, the garage is considered to be compliant to policies DM12 and DM18 of the Copeland Local Plan and is unlikely to create an effect on the neighbouring properties.

### Design

Although relatively large in scale, the building has been well designed to be a modern addition to the group of buildings on the site with a pitched roof to be in keeping with the dwelling and complementary materials that will contextualise the whole site as a single unit.

It is considered that the garage will be subservient to the parent dwelling due to the low eaves height.

Overall, the development is considered to comply with Policies DM10 and DM18 of the Copeland Local Plan with relation to maintaining a good quality of place.

### Access

The garage is to be sited to the south of the private access road that serves the property and is therefore unlikely to create a material effect on the existing highway network. There is ample

	<p>parking provision with space to enter and egress the site in a forward gear.</p> <p>The proposal retains the standard of accessibility, parking and turning approved within the original planning application for the replacement dwelling at Beckside Farm and is considered to comply with Policy DM22 of the Copeland Local Plan.</p> <p><u>Drainage</u></p> <p>The location for development is within Flood Zone 1, therefore posing a low risk of flooding. Initially, the submitted application did not include any details of drainage for the detached garage. Information was requested and the Agent provided a plan to show the proposed location of a soakaway for the site. The Agent has indicated that if percolation tests do not prove to be favourable then the water would be attenuated and released to the water course in accordance with the existing situation.</p> <p>The Environment Agency and the Council's Flood and Coastal Drainage Engineer have raised no objections with the proposal and it is considered that it is compliant with Policies ENV1 and DM24 of the Copeland Local Plan.</p> <p><u>Use of the Garage</u></p> <p>Due to the size of the garage proposed it is considered reasonable to include a condition to limit the use for domestic purposes only, in order to ensure that commercial uses are not introduced into the area which may affect the neighbouring amenity and character of the area.</p> <p><u>Planning Balance and Conclusion</u></p> <p>On balance, although the garage is large in scale, it is unlikely to create any adverse impact on either visual or residential amenity. A condition is proposed to restrict the use to domestic purposes only.</p> <p>Overall this is considered to be an acceptable form of development which accords with the guidance set out in the NPPF and the policies within the adopted Local Plan.</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 shall 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> <ol style="list-style-type: none"> <li>2. Permission shall relate to the following plans and documents as received on the respective</li> </ol>

dates and development shall be carried out in accordance with them: -

Site Location Plan, scale 1:1250, received 23<sup>rd</sup> May 2022;

Site Block Plan, Elevations and Floor Plan, scales 1:500 and 1:100, drawing number 1235 40 A, received 16<sup>th</sup> June 2022;

Flood Risk Assessment, written by S Woodall, received 23<sup>rd</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. The detached garage hereby approved must only be used in association with and ancillary to the residential property known as Beckside Farm and must not be used for any commercial or business purposes or as a separate residential unit whatsoever.

**Reason**

To ensure that non conforming uses are not introduced into the area in accordance with Policies ST1 and DM18 of the Copeland Local Plan.

**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.

**Case Officer: Sarah Papaleo**

**Date : 15/07/2022**

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

**Date : 18/07/2022**

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