



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2230/OF1
2.	<b>Proposed Development:</b>	RETROSPECTIVE DRIVEWAY AND PROPOSED DROP KERB TO ALLOW VEHICULAR ACCESS
3.	<b>Location:</b>	10 HOWBANK ROAD, EGREMONT
4.	<b>Parish:</b>	Egremont
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Potential Area for Great Crested Newts, Outer Consultation Zone - Sellafield 10KM
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>LOCATION</b>  This application relates to 10 Howbank Road, a semi-detached property located on an existing housing estate within Egremont. The site benefits from a large front/side garden with a 1-metre-high boundary wall.  <b>PROPOSAL</b>  Retrospective Planning Permission is sought for the installation of a driveway within the front garden and a dropped kerb. The driveway measures 14 metres in width and 11 metres in depth. It is surfaced in permeable drive setts and it includes an aco-drain along the front of the driveway adjacent to the	

pavement.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

### **CONSULTATION RESPONSES**

#### Egremont Town Council

No comments received.

#### Highway Authority and Lead Local Flood Authority

Standing Advice.

#### Public Representations

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 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

Policy ENV3 – Biodiversity and Geodiversity

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

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

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

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

**ASSESSMENT**

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

Principle of Development

The proposed application relates to a residential dwelling within Egremont and it will provide off-street parking. Policy DM18 supports alterations to residential properties subject to detailed criteria, which are considered below and Policy DM22 encourages developments to include off-street parking.

On this basis, the principle of the development is therefore considered to be acceptable and the extension 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 driveway is relatively 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, which ensures the proposal is not excessively prominent in the locality.

On this basis, the proposal is considered to respect the character and appearance of the dwelling and therefore it satisfies Policies DM10, DM18 and the NPPF guidance.

Highway Safety

Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid

	<p>vehicles dominating the street scene.</p> <p>The site visit confirmed there are existing off-street parking and driveways within the front gardens along Howbank Road and therefore the principle of off-street parking is acceptable. In addition, the creation of off-street parking is supported by the Copeland Local Plan and the Cumbria Development Design Guide.</p> <p>The plans outline the new driveway is surfaced in permeable drivesett and it includes an aco drain. This will ensure the driveway will not increase surface water discharge onto or off the highway.</p> <p>In addition, the applicant might be required to apply for a permit from the Cumbria County Council Streetworks 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>Ecology</u></p> <p>Policy ST1, ENV3 and DM25 and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.</p> <p>The application site is identified as a potential area for great crested newts. The application is not supported by any ecology details as the site relates to a residential dwelling which is not located within 200m of a watercourse (as indicated within the ALGE tigger list). On this basis, it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor driveway application.</p> <p>It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The retrospective off-street parking is of an appropriate scale and design and will not have any detrimental impact on highway safety or ecology. 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. 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: -</li> </ol>

Application Form, received 25<sup>th</sup> May 2022;  
Site Location Plan, scale 1:1250, received 25<sup>th</sup> May 2022;  
Proposed Site Plan, scale 1:200, received 18<sup>th</sup> July 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 Notes

1. Any works within the Highway must be agreed with the Highway Authority.

Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain an appropriate permit.

Enquires should be made to Cumbria County Councils Streetwork's team  
[streetworks.central@cumbria.gov.uk](mailto:streetworks.central@cumbria.gov.uk)

2. Access gates, if provided, should be hung to open inwards only away from the highway.
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.

<b>Case Officer: C. Unsworth</b>	<b>Date : 18/07/2022</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 19/07/2022</b>
<b>Dedicated responses to:- N/A</b>	