

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2248/OF1
2.	Proposed Development:	ERECTION OF DETACHED GARAGE
3.	Location:	40 CHURCHILL DRIVE, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to 40 Churchill Drive, a detached bungalow situated on an existing housing estate within Millom. The site is located within the corner of a cul-de-sac and therefore it benefits from a large front garden, which is largely located behind the principal elevation of no. 38 Churchill Drive. PROPOSAL Planning Permission is sought to erection of a detached garage to the front of the dwelling. The garage will be 5.9 metres in width and 5.755 metres in depth. It will have a pitched roof with an overall height of 4.112 metres and an eaves height of 2.395 metres. It has been designed to include a	

garage door on the front elevation and the side elevation facing the garden will include a window. The side and rear elevations along the boundary will be blank.

The garage will be finished with render, grey concrete roof tiles and white UPVC windows to match the existing property and the garage door will be a white roller shutter door.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Millom Town Council – No objections.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 4 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

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

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 ecology.

Principle of Development

The proposed application relates to a residential dwelling within Millom and it will provide a detached garage for domestic storage. 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 appropriately located within the front corner of the site, behind the principal elevation of the neighbouring property, no. 38 Churchill Drive and the side elevation of no. 40 Churchill Drive. It will also be relatively modest in scale and it will be stepped away from the front boundary by approximately 0.7 metres and 0.958 metres from the side elevation. As a result, 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 potential amenity issues between the proposed detached garage and the neighbouring properties were considered, the proposal is considered to be modest in height and suitably located within the front garden. It will be located adjacent to no. 38 Churchill Drive's blank side elevation and therefore it is not considered that the proposal will not cause a significant loss of light or dominance on the neighbouring property.

In addition, the design does not include any windows on the rear or side elevations facing the neighbouring properties and therefore overlooking concerns are mitigated.

No concerns were raised as a result of the neighbour consultation process.

As the application site currently benefits from an existing attached garage, it is appropriate to attach a planning condition to ensure the proposed detached garage remains domestic in nature and that non-conforming uses are not introduced into the area.

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.

Ecology

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.

The application site is identified as a potential area for natterjack toads. 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 trigger list), and is located within the centre of a built up residential area. 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 householder application.

It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.

	<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 ecology. 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <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> <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 6th June 2022; Location Plan, scale 1:1250, drawing no. MVC806-01, received 6th June 2022; Site Plan, scale 1:200, drawing no. MVC806-01, received 6th June 2022; Proposed Floor Plan and Elevations, scale 1:50, drawing no. MVC806-01, received 6th June 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> <p>The garage hereby approved must be used for the parking of private vehicles and the storage of domestic equipment only in association with the residential property known as 40 Churchill Drive and for no commercial or business purposes whatsoever.</p> <p>Reason</p> <p>To ensure that non-conforming uses are not introduced into the area in accordance with</p>

Policy DM18 of the Copeland Local Plan.

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 : 26/07/2022

Authorising Officer: N.J. Hayhurst

Date : 26/07/2022

Dedicated responses to:- N/A