

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2302/OF1	
2.	Proposed Development:	ANNEX TO PROVIDE ADDITIONAL ACCOMODATION & CREATION OF ADDITIONAL PARKING SPACE	
3.	Location:	SOMERBY, BEACH ROAD, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location This application relates to a detached property, known as Somerby, located off Beach Road within the western portion of St Bees. The property is set at a higher level than the adjacent highway and benefits from a large surrounding garden and two off street parking spaces. Relevant Planning History No relevant planning history. Proposal This application seeks planning permission for the erection of a detached annex building which is to be used to provide additional accommodation for the applicant's family. The proposed annex will be located within the north eastern corner of this site to the rear/side of the existing dwelling. The main		

part of the “L-shaped” extension will measure 6.7m x 5.6m, with an eaves height of 2.3m and an overall height of 5m. The annex will also benefit from a front facing gable measuring 3.4m x 4.4m, with an eaves height of 2.4m and an overall height of 4.3m.

Internally, the annex will incorporate a lounge/kitchen/dining area, a bathroom and two bedrooms. Externally the development will be finished with ivory k-render, white UPVC windows, and grey slate/Russell moray concrete tiles.

This application also seeks planning permission to create an additional parking space at this site. The dwelling currently benefits from an area to the southwest of the site which provides off street parking for two cars. The proposed works will extend this area so that three cars can be accommodated within the site.

Consultation Responses

St Bees Parish Council

8th August 2022

No objections.

Cumbria County Council – Cumbria Highways & LLFA

19th July 2022

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

If you have a particular aspect of this application you wish us to consider, please feel free to contact me direct.

22nd July 2022

Please accept my apologies having taken another look at the application there appears to be a garage at the front of the property, if the applicant could please provide parking provisions as we would expect depending on the number of bedrooms for the dwelling, a plan should show there would be safe opportunity for communal or on-street parking adjacent to the proposed site, we would expect the following number of parking spaces to be provided for the proposed dwelling:

1 bedroom dwelling 1 space

2, 3 & 4 bedroom dwelling 2 spaces
5 + bedroom dwelling 3 spaces

20th September 2022

It is understood there has been parking bays constructed on the roadside for the Somerby property.

The applicants have stated that they propose to extend the existing two parking bays to create a third one. The existing parking arrangement has severely obstructed visibility to the east of the site, more so restricted when vehicles enter the spaces in a forward gear and therefore reverse onto the highway.

The applicant needs to demonstrate that they can achieve visibility splays of 60m in both directions measured from a point of 2m into the site from the carriageway edge. The adjacent boundary walls/fences then cannot exceed a height of 1.05m when within the visibility splay. I would recommend the applicants read page 25 of the Cumbria Development Design Guide where there is information and diagrams which could help them in designing this parking area.

Upon receipt of further information, I will be better placed to make a final recommendation. The Local Highway Authority are not currently in a position where we can support this proposal.

11th October 2022

The applicants have shown on Drawing Number 028-29/PR EX EL BP NT Rev C that they can achieve 60m by 2m by 60m visibility splays by removing part of the boundary wall and reinstating it to a height not exceeding 1m. This is acceptable to the Local Highway Authority and I can confirm we raise no objections to this proposal subject to the inclusion of conditions relating to visibility splays, access drive materials, and reduction to boundary walls.

Cumbria County Council – Footpaths Officer

No comments received.

Public Representation

This application has been advertised by way of neighbour notification letters issued to thirteen properties. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that 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 – Strategic Development Principles

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 (2021)

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.

Assessment

The main issues raised by this application relate to the principle of the development; scale, design and impact on amenity; and parking/highway issues.

Principle of Development

The proposed application relates to a residential dwelling within St Bees and will provide additional living space for the residents. Policy DM18 supports extensions and alterations 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, and the NPPF guidance.

Scale, Design and Impact on Amenity

Policy ST1 and section 12 of the NPPF seek to safeguard good levels of residential amenity. Policies 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.

As part of this application process extensive discussions have been undertaken with the applicant's agent due to concerns with the overall scale and design of the proposed annexe development. Based on these concerns the agent has provided clarification on the proposed use of the extension and has confirmed that this will only be used for additional living space for the occupants of the main dwelling. The proposal seeks planning permission to form a detached annex development providing two additional bedrooms and a small living area. Although the annex isn't directly attached to the main dwelling the proposal it is well related to the host property and will have a strong visual link with it. It would appear subservient to the main building and there will be no new boundaries or subdivision of the plot. The annex will not have an independent address point and will share the same access point and services. On this basis it is not considered to create a separate planning unit.

An appropriately worded planning condition is proposed to ensure that the development will only be used as annexe accommodation and cannot be sold or let separately from the main property.

The original application sought permission for a large annex located to the rear of the application site, directly behind and in close proximity of the main dwelling. Concerns were therefore raised with regard to the large scale of the proposal and the impact on the parent property given the minimal separation distances. Based on these concerns a number of options were considered for this site, however the plans have now been amended to relocate the annex to the northeast corner of the garden to the side/rear of the main dwelling. The amended scheme limits the impacts on the main dwelling as a greater separation is achieved and the proposal is now located away from openings within the main dwelling and is therefore not considered to be overbearing or result in a significant loss of light.

Although the proposed annex is still of a reasonable size the development has been reduced in scale so that it is subservient to the main dwelling and is now viewed as separate from the main dwelling reducing the bulk and therefore the impact of the development. Whilst the annex is modern in design efforts have been made to reflect the traditional character of the main dwelling, with the roof layout and front facing gable reflected within the proposed design.

The property is located within a large garden, which is set above the level of the adjacent highway. This change in level is considered to limit the impact of the development upon the overall streetscene. Whilst the development lies in close proximity to the shared boundary with the neighbouring property, a significant distance is retained which will help to reduce the impact of the detached building on the amenity of this property. No objections have been received from any neighbouring dwellings.

On this basis the development is considered to comply with the requirements of Policies DM10 and DM18 of the Copeland Local Plan and the provisions of the NPPF.

Parking/Highways issues

Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

The existing four bed property currently benefits from two off street parking spaces. Initially Cumbria Highways stated that a dwelling of five plus bedrooms would need to be supported by at least three off street parking spaces. Given that the development will create a six bedroomed dwelling amended plans were submitted to show the creation of an additional parking space within the garden area. Concerns were raised again by Cumbria Highways with regard to visibility and the restrictive nature of the parking area. Based on these concerns further amended plans have been submitted to address this issue. Cumbria Highways have confirmed subsequently confirmed that they have no objections to this proposal subject to the inclusion of conditions relating to visibility splays, access drive materials, and reduction to boundary walls.

An appropriately worded planning condition is proposed to secure the additional parking space as part of this development.

On the basis of the above this proposal is considered to comply with policies ENV1 and DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.

Planning Balance & Conclusion

The proposed development seeks permission for the erection of a detached building within the curtilage of the existing dwelling which is to be used as annexe accommodation. Whilst detached from the main dwelling the proposal is not considered to create a separate planning unit and confirmation has been received that the development will be utilised for purposes ancillary to the main dwelling. A condition is proposed to control the use to ensure that the extension is used as ancillary annexe accommodation only.

The amended plans have secured a development which is considered to be of an appropriate scale and design, and will not have any detrimental impact on the amenities of the adjacent properties. Although large in scale the annex has been designed to reflect the parent property, is subservient to the main dwelling and will not have a detrimental impact on the overall streetscene as the large garden is set above the existing level of the highway and the building will be located to the rear of the site.

Additional parking will be created to serve the development and this will be secured by an appropriately worded planning condition.

On the basis of the above the proposal 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.
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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"> 2. 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:- <ul style="list-style-type: none"> - Elevations/Floors – Site Location, Existing & Proposed Block Plan, Existing & Proposed Ground Floor, and Existing & Proposed Elevations (Amended), Scale 1:50, 1:100, 1:500 & 1:2500, Drawing No: 028-29/PR EX EL BP NT, Revision C, received by the Local Planning Authority on the 27th September 2022. - Planning Statement (Amended), received by the Local Planning Authority on the 6th September 2022. <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><u>Pre Commencement Conditions:</u></p> <ol style="list-style-type: none"> 3. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

4. The development must not commence until visibility splays providing clear visibility of 60 meters by 2 meters by 60 meters down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway as demonstrated on the approved plan:
 - ‘Elevations/Floors – Site Location, Existing & Proposed Block Plan, Existing & Proposed Ground Floor, and Existing & Proposed Elevations (Amended), Scale 1:50, 1:100, 1:500 & 1:2500, Drawing No: 028-29/PR EX EL BP NT, Revision C, received by the Local Planning Authority on the 27th September 2022’.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

5. The development hereby approved must not commence before the existing highway boundary along the site frontage has been reduced to a height not exceed 1.05m above the carriageway level of the adjacent highway in accordance with the approved plan “Elevations/Floors – Site Location, Existing & Proposed Block Plan, Existing & Proposed Ground Floor, and Existing & Proposed Elevations (Amended), Scale 1:50, 1:100, 1:500 & 1:2500, Drawing No: 028-29/PR EX EL BP NT, Revision C, received by the Local Planning Authority on the 27th September 2022’. This boundary treatment must be maintained in accordance with these details and must not be raised to a height exceeding 1.05m thereafter.

Reason

In the interests of highway safety.

Prior to Use/Occupation Conditions:

6. The annex hereby approved must not be occupied/brought into use until the additional parking space has been constructed and brought into use in accordance with the approved plan:

- Elevations/Floors – Site Location, Existing & Proposed Block Plan, Existing & Proposed Ground Floor, and Existing & Proposed Elevations (Amended), Scale 1:50, 1:100, 1:500 & 1:2500, Drawing No: 028-29/PR EX EL BP NT, Revision C, received by the Local Planning Authority on the 27th September 2022.

The parking spaces must be retained and capable of use at all times thereafter and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

7. The access drive must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is occupied/brought into use.

Reason

In the interests of highway safety.

Other Conditions:

8. The detached annex development hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling, known as Somerby, Beach Road, St Bees, and must not be independently occupied let or sold as a separate permanent dwelling, or used for any business purposes whatsoever.

Reason

The annexe is not considered appropriate for use as a separate residential unit.

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

Reason

In the interests of highway safety.

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

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. Burns

Date : 11.10.2022

Authorising Officer: N.J. Hayhurst

Date : 14/10/2022

Dedicated responses to:- N/A