

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2309/OF1
2.	Proposed Development:	INSTALLATION OF VEHICLE ACCESS AND DRIVEWAY FROM EXISTING GARDEN AREA AT THE FRONT OF THE PROPERTY
3.	Location:	5 VICTORIA VILLAS, EGREMONT ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
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 Planning Policies: See report
7.	Report: LOCATION This application relates to 5 Victoria Villa, a semi-detached property located on Egremont Road within Hensingham, Whitehaven. The site currently benefits from a large front garden which fronts the B4295 and it is bound by a small boundary wall and hedge. PROPOSAL Planning Permission is sought for the installation of a new vehicle access onto the B5295 and a driveway within the front garden. The driveway will create 4 off-street parking space and it will be surfaced in black tarmac. It will also include an aco-drain along the front of the driveway access, adjacent to the pavement.	

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Whitehaven Town Council

No objection.

Highway Authority and Lead Local Flood Authority

Initially requested 60m visibility splay to be provided.

Following receipt of the visibility splays, no objections were raised subject to the inclusion of planning conditions on the Notice of Consent relating to:

- Access gates;
- Surface water details.

Public Representations

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 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

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 and the potential impacts on highway safety.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven 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 development will be 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. This will ensure it will not be excessively prominent in the locality and it will reflect other driveways along Egremont Road.

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.

	<p><u>Highway Safety</u></p> <p>Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The site visit confirmed there are existing off-street parking and driveways within the front gardens along Egremont 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>Following the application consultation, the Highway Authority requested that the 60 metre visibility splays be shown on the site plan. The agent satisfied this request and therefore the Highway Authority raised no objections subject to the inclusion of planning conditions to secure suitable visibility splays, drainage, surfacing and boundary fences are installed and maintained. The proposed plans outline that the new driveway will be surfaced in tarmac and it will include an aco drain to an existing 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 on the decision notice.</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>Planning Balance and Conclusion</u></p> <p>The off-street parking will be of an appropriate scale and design and will not have any detrimental impact on highway safety. 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence 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: -

Application Form, received 7th September 2022;
Site Location Plan, scale 1:1250, received 18th July 2022;
Aerial View of the Site, received 18th July 2022;
Existing Layout, scale 1:100, Dwg 002, received 18th July 2022;
Proposed Layout, scale 1:100, Dwg 001, received 18th July 2022;
Proposed 60m Visibility Splays, scale 1:500, received 12th August 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. A 2.4 metre x 2.4 metre pedestrian visibility sight splay as measured from the footpath boundary must be installed on both sides of the vehicular access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason

To ensure that adequate visibility is provided in accordance with Policy DM22 of the Copeland Local Plan.

4. The driveway must be surfaced in bituminous bound material in accordance with the details set out in the approved 'Proposed Layout Plan' received by the Local Planning Authority on 18th July 2022, and it shall be constructed and completed before the development is brought into use. The surfacing of the driveway shall be maintained in accordance with these details thereafter.

Reason

In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.

5. Prior to the first use of the access hereby approved any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05 metres above the carriageway level of the adjacent highway and shall not be raised to a height exceeding 1.05 metres thereafter.

Reason

In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.

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

2. Access gates, if provided, must 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

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 : 28/09/2022

Authorising Officer: N.J. Hayhurst

Date : 29/09/2022

Dedicated responses to:- N/A