

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2313/OF1
2.	Proposed Development:	PROPOSED DETACHED SINGLE STOREY GARAGE/WORKSHOP
3.	Location:	SWALLOW MOUNT, 29 COMMON SIDE, DISTINGTON
4.	Parish:	Distington
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: SITE AND LOCATION This application relates to Swallow Mount, 29 Common Side, a detached dwelling situated within Common End, Distington. The site is bound by residential properties to the south-west, an access lane to the south-east and fields to the north-west and north-east. The site benefits from a couple of detached outbuildings to the rear of the property and the boundary benefits from a 1-metre-high wire and wooden post fence. PROPOSAL Planning Permission is sought for the erection of a new detached garage and hobby workshop. The proposed single-storey garage will measure 7.6 metres in width and 15 metres in depth. It has	

been designed to include a flat roof, split across two levels; the lower rear roof level will have an overall height of 3 metres and the higher front roof level will have an overall height of 4.5 metres. It will include a garage door on the southern front elevation, an access door and three windows on the western side elevation and an access door and window on the northern rear elevation. The eastern side elevation will be blank.

The garage will be finished with cement render and grey facing bricks, a black rubber roofing cover, an anthracite steel roller shutter garage door, the access doors and windows will be UPVC to match the existing house.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the change of use from agricultural land to domestic garden (ref: 4/99/0517/0F1).

CONSULTATION RESPONSES

Distington Parish Council

No objection.

Cumbria County Council Highway Authority

Standing Advice.

Lead Local Flood Authority

Standing Advice.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 no. properties.

One objection has been received which raised the following concerns:

- Question permission for the land to be changed from agricultural to domestic use;
- Noise levels from a "workshop" could be considerable;
- Concerns the building will be turned into a dwelling at a later date, as to the north end of the building looks like a dwelling façade;
- Loss of privacy and overlooking from the proposed windows into field and garden;
- Access up the lane to the adjacent field needs to be maintained and not obstructed;
- Question the illustration of two cars parked at the north end of the building does not make sense, as they would have to be driven through the middle of the workshop;
- Question why part of the proposed building is elevated, installation of a mezzanine floor at a later date, and additional windows, which would overlook neighbouring gardens;
- Concerns regarding the workshop being used for a commercial use;

- The property already has a spacious garage and an outbuilding, within its existing boundary.

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, the potential impacts on residential amenity and highway safety.

Principle of Development

The proposed application relates to a residential dwelling within Common End and it will provide a detached garage for domestic storage and hobby workshop. Policy DM18 supports extensions to residential properties subject to detailed criteria, which are considered below.

Concerns were received which questioned whether permission is required for the land to be changed from agricultural to domestic use. Although the proposal will be located within the existing garden and it will not project into the adjacent field. The applicant confirmed that the adjacent field will not be changed.

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 applicant provided additional justification for the scale and use of the garage. The garage will act as a domestic workshop for the applicant's car and motorbike restoration hobby and a secure store for a camper van. The height of the front aspect of the garage is raised to allow higher vehicles access to accommodate the camper van and there are no plans to install a mezzanine floor and additional window. On this basis, despite the large scale, it is considered to be appropriate for its use.

The proposed garage will be appropriately located to the rear of the existing property and therefore it will not be excessively prominent within the locality. The split level roof design will help to reduce the dominance and massing of the building close to the boundary and therefore it is considered to be an acceptable design. In addition, the proposed materials will reflect the character and appearance of the existing property.

On this basis, the proposal is considered to meet Policies DM10, DM18 and the NPPF guidance.

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.

The proposed garage will be suitably located in the northern corner of the garden, stepped away from the rear boundary by approximately 2.5 metres and it will be located approximately 17 metres from the closest neighbouring boundary, no. 25 Common Side. These separation distances are considered to mitigate concerns regarding potential overlooking and loss of privacy from the

proposed windows. In addition, despite the northern rear elevation including a window facing the neighbouring field, this is not considered to be domestic curtilage and the garage windows do not relate to a habitable use. On this basis overlooking concerns are mitigated. The closest neighbouring garden is also screened by mature existing planting which helps to reduce any potential impact.

Significant concerns were raised regarding the potential noise from the workshop and the potential future use as a commercial garage/workshop. Although the applicant has confirmed that this is not the case it is considered to be reasonable to control the use of the proposed garage by means of a planning condition to ensure the garage remains domestic in nature. This will help to minimise the impact on the amenities of the occupiers of surrounding dwellings.

The site visit also revealed that the height at the front of the building is dictated by the applicant's campervan and, due to the domestic hobby workshop, noise issues are not expected to be unacceptable. However, any future noise concerns can be addressed by Environmental Health as a nuisance.

Concerns were received regarding the building being turned into a dwelling at a later date. This was discussed with the applicant, and it was confirmed that there is no intention to convert the building into a dwelling at a later date. The garage is to be used for cars and bikes, not living space. Future development would be subject to a separate planning application and would be considered on its merits against the relevant planning policies at that time.

In addition, following comments regarding the access to the adjacent field, the applicant has confirmed that the access will be maintained and not obstructed. This is not a material planning consideration and therefore cannot be taken into account in the application assessment.

On this basis, it is considered that the garage proposal will not have an adverse impact on neighbouring amenity and therefore it complies with Policy DM18 and the NPPF guidance.

Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The garage will be used as a domestic garage and hobby workshop so it will not increase the number of people visiting or using the site. There is sufficient parking to the front and side of the property of the property, in addition to the parking bays within the garage, which provide space for adequate off-street parking.

These internal parking bays are illustrative and the concerns raised regarding the location of these parking spaces with access through the workshop are not considered to be material planning considerations.

On this basis, it is considered that the development would not lead to any detrimental impact on highway safety and the proposal is considered to meet Policy DM22 and the Cumbria Development Design Guide.

	<p><u>Planning Balance and Conclusion</u></p> <p>This application seeks permission for the erection of a detached garage for domestic storage and a hobby workshop. The main issues with the proposal relate to its scale and potential impact on neighbouring amenity.</p> <p>The proposed detached garage is considered to be suitably located within the rear corner of the garden, adjacent to two fields. Additional justification has been provided by the applicant to ensure the garage is for domestic storage and a hobby workshop. The height is dictated by the need to accommodate the applicant's campervan. Despite the large scale, the proposed garage is considered to be of a suitable scale and design for its use and it will not have any detrimental impact on the amenities of the adjoining properties or highway safety. A planning condition is proposed to control the concerns raised as part of the neighbour consultation.</p> <p>On balance, 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: 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: - <p>Application Form, received 27th July 2022; Site Plan, scale 1:2500, drawing ref 29CS-MJ-007, received 27th July 2022; Block Plan, scale 1:500, drawing ref 29CS-MJ-007, received 27th July 2022; Proposed Garage Plans and Elevations, scale 1:00, drawing ref 29CS-MJ-001, received 27th July 2022; Proposed North Elevation, scale 1:50, drawing ref 29CS-MJ-002, received 27th July 2022; Proposed South Elevation, scale 1:50, drawing ref 29CS-MJ-003, received 27th July 2022; Proposed East Elevation, scale 1:50, drawing ref 29CS-MJ-004, received 27th July 2022; Proposed West Elevation, scale 1:50, drawing ref 29CS-MJ-005, received 27th July 2022; Proposed Floor Plan, scale 1:50, drawing ref 29CS-MJ-006, received 27th July 2022;</p>

	<p>Drainage Plan, scale 1:500 and 1:200, drawing ref 29CS-MJ-008, received 27th July 2022; Design and Access Statement, ref DAS-001, received 27th July 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>3. The garage/workshop 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 Swallow Mount, 29 Common End 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 Policy DM18 of the Copeland Local Plan.</p> <p>Informative Note</p> <p>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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement</p> <p>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.</p>
Case Officer: C. Unsworth	Date : 22/09/2022
Authorising Officer: N.J. Hayhurst	Date : 22/09/2022
Dedicated responses to:- N/A	

