

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/23/2021/OF1 |
| 2. | Proposed Development: | ERECTION OF A REPLACEMENT SHED |
| 3. | Location: | 13 PRIORY CLOSE, FRIZINGTON |
| 4. | Parish: | Arlecdon and Frizington |
| 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 | <p>Site and Location: This application relates to 13 Priory close, a semi-detached property located in Frizington. The site is set back off the main carriageway and benefits from a modest size garden to the rear which overlooks open fields and farmland.</p> <p>Proposal: Planning permission is sought for the removal of the current wooden shed, and its replacement with a brick-built structure. The new brick-built shed will be 4.3 metres in width and 6.8 meters in length, with an eave's height of 2 meters and an overall height of 3 meters. The proposal also includes the installation of 1 upvc window on the side elevation, and upvc doors on the front elevation. The new brick-built shed will have a roof covered with composite grey tiles and will include guttering to a soakaway.</p> <p>Relevant planning application history: There have been no previous planning applications at this property.</p> <p>Consultation responses:</p> |

Arlecdon and Frizington Parish Council

No response received.

Public representations

This application has been advertised by way of neighbour notification letters issued to 2 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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP).

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been the subject of examination by the Planning Inspector.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

The following policies are relevant to this proposal:

- Strategic Policy DS1PU - Presumption in favour of Sustainable Development

- Policy DS6PU - Design and Development Standards
- Policy H14PU – Domestic Extensions and Alterations

Assessment:

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

Principle of Development

The proposed application relates to a semi-detached residential dwelling in Frizington. The site is relatively flat and benefits from a modest size garden to the rear which overlooks open fields and farmland.

The proposed works will include removal of the existing wooden shed, and its replacement with a brick-built shed.

Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria of design and amenity, 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 replacement shed will be appropriately located to the rear of the property and will be 4.3 metres in width and 6.8 metres in length, with an eaves height of 2 metres and an overall height of 3m. Whilst the proposed shed is larger than the wooden one that currently exists, it is considered to be acceptable in terms of its scale in relation to the size of the garden.

It has been designed to include the addition of upvc doors on the front elevation facing the garden and a upvc window on one side elevation. The rear and adjacent side elevation will remain blank. The new brick-built shed will have a covered roof with composite grey tiles and will include guttering to a soakaway.

Given that an outbuilding can be erected up to 2.5 metres in height within 2 metres of the boundary without the requirement of formal planning permission, the overall height of the proposed replacement garden shed is not significantly larger than what is possible under Permitted Development Regulations.

On this basis, the proposal is considered to be satisfactory and is not considered to have a significant impact on the neighbouring amenity.

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| | <p>A site visit to the parent property confirmed that there were already sheds and garage type structures of similar sizes within the vicinity of the area. The design, scale and choice of materials involved are therefore considered to be suitable for its use and respect the character and appearance of the parent property and the wider area.</p> <p>On balance, the proposal is considered to reflect the character and appearance of the existing dwelling and therefore it complies with Policies DM10 and DM18(A) and the NPPF guidance.</p> <p><u>Residential Amenity</u></p> <p>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.</p> <p>Whilst overlooking and overshadowing issues between the proposed alterations and the neighbouring properties were considered, the alterations will be modest in scale, respectful of the current parent property and its surroundings, and will be appropriately located within the rear garden of the parent property.</p> <p>In addition, a site visit confirmed that there were suitable boundary treatments already in situ along the boundary with number 14 Priory Close as this was the boundary that the proposed structure is nearest to. Whilst there was only a small fence along the boundary with 12 Priory Close, the proposal is located an adequate distance away from this property and there is scope for additional boundary treatments if required for further mitigation against any potential overlooking issues if they arise.</p> <p>The addition of the upvc doors and window are not considered to be excessively prominent within the locality as there is already a window present on the side elevation of the original wooden shed that already exists.</p> <p>On this basis, the proposal will satisfy Policies DM18(B), DM18(C) and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed works are of an appropriate scale and design and would not have any detrimental impact on the amenities of the adjoining properties. It 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 shall be commenced before the expiration of three years from the date of this permission. |

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| | <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>2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</p> <p>Application Form, received 23rd January 2023; Land Registry Title Plan, scale 1:250, received 23rd January 2023; Site Location Plan, scale 1:1250, received 23rd January 2023; Proposed plans and elevations, received 23rd January 2023; Block Plan with Shed Details, scale 1:200, received 23rd January 2023;</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>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. 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: Demi Crawford | Date : 17/03/2023 |
| Authorising Officer: N.J. Hayhurst | Date : 20/03/2023 |
| Dedicated responses to:- N/A | |