

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2285/0F1
2.	Proposed Development:	ERECTION OF A GARAGE
3.	Location:	PLOT 10, OVEREND ROAD GARAGE SITE, OVEREND 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: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>Site and Location</p> <p>This application relates to a current vacant plot on area of land known as the Overend Road Garage Site which is located within the Richmond Hill area of Whitehaven. The wider site is currently already occupied by several other detached garages.</p> <p>Proposal</p> <p>Planning Permission is sought for the erection of a concrete garage on the vacant plot which is owned by the Council.</p> <p>The proposed garage will measure 3.75 metres in width and 8 metres in length. It will include a dual pitched roof with an overall height a height of 3.6 metres and an eaves height of 2.4 metres.</p> <p>The front elevation will include a single, white up and over steel garage doors and the side</p>

and rear elevations will be blank. The garage will be constructed out of 100mm concrete blocks. Externally the garage will be rendered with a black/white dash finish and the roof will be covered with grey Marley roof tiles with grey upvc guttering.

Relevant Planning Application History

Whilst there are no previous permissions for this particular plot, there have been several previous approved applications for garages on the wider site.

Consultation Responses

Whitehaven Town Council

No objections.

Highways Authority

Standing advice.

Lead Local Flood Authority

Standing advice.

Public Representations

Public representations for this application have been advertised by way of site notice and neighbour notification letters issued to 5 no. properties - No objections have been received as a result of the 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

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments



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Emerging Copeland Local Plan 2021-2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038. The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

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:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Assessment

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

Principle of Development

Policy ST2 defines Whitehaven as the Principal Town within Copeland which seeks to direct development to the most sustainable locations. The proposal includes development on an existing Council owned garage site, which is located within the Richmond area of Hensingham, Whitehaven.

On this basis, the proposal represents an appropriate form of development in this location, consistent in principle with the provisions of Policy ST2 of the Local Plan.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seeks to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

The proposed single concrete garage will be located on a current vacant plot adjacent to various other existing garages and will be appropriate in terms of its scale. The design and character are coherent with the overall site, which comprises a collection of other garage units.

Externally the garage will be finished in black/white render, grey Marley roof tiles, a white up and over garage door and grey UPVC guttering. These materials are considered to be appropriate for their use and respect the overall character of the area.

On this basis, the proposal is typical of the area, and it is considered to meet Policy DM10 and the NPPF guidance.

Residential Amenity

Policy ST1, DM10 and section 12 of the NPPF seek to safeguard good levels of residential amenity. Due to the proposed location on an existing garage plot and the relationship with the neighbouring garages on the wider site, it is considered that there will be no detrimental impact on residential amenity.

The garage will not include any windows to overlook neighbouring properties and it is therefore not materially different from the existing garage structures on this particular site. It is, however, appropriate to attach a planning condition to ensure the use of the garage remains domestic in nature and that non-conforming uses are not introduced into the area. On this basis, the garage is considered to comply with Policy DM10 of the Local Plan.

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 located on an existing garage site which is served by a suitable access off an unclassified road. The Highways Authority issued standing advice to the proposal as the proposal site falls under the Service Level Agreement (SLA). On this basis, the 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.

It is therefore considered that the addition of an additional garage on the site will not have an adverse impact on the existing highway conditions. On this basis the proposed garage is considered to meet Policy DM22.



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	<p>Planning Balance and Conclusion</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 surrounding garages and residential properties.</p> <p>The choice of materials proposed are considered to be appropriate for their use and will respect the overall character of the garage site and wider residential area.</p> <p>In addition, the proposal would not have an impact on existing highway conditions or highway safety.</p> <p>Overall, the proposal is considered to be 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> <p>1. The development hereby permitted shall be commenced 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>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> <ul style="list-style-type: none">- Application Form, received 4th October 2023;- Site Location Plan, scale 1:1250, received 4th October 2023;- Site Location Plan, scale 1:500, received 4th October 2023;- Proposed Layout Plan, received 4th October 2023;- Proposed Front and Rear Elevations, received 4th October 2023;- Proposed Side Elevation, received 4th October 2023;- Side View (Right), received 4th October 2023;- Side View (Left), received 4th October 2023;- View From Above, received 4th October 2023. <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>

3. The garage shall be used for the parking of private vehicles and storage of domestic equipment only and for no commercial or business purposes whatsoever.

Reason

To ensure that non-conforming uses are not introduced into the area.

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: Demi Crawford

Date : 20/11/2023

Authorising Officer: N.J. Hayhurst

Date : 22/11/2023

Dedicated responses to:-