

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2137/0F1
2.	Proposed Development:	CONVERT GARAGE INTO BEDROOM AND CREATION OF OFF ROAD PARKING FOR 2 CARS
3.	Location:	12 THIRLMERE CLOSE, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change Key Species - Potential areas for Natterjack Toads
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 12 Thirlmere Close, a detached property situated at the end of a residential cul de sac within Millom. The site benefits from a wraparound garden and driveway with garage and off street parking to the front. PROPOSAL Planning permission is sought for the conversion of the existing garage into a bedroom, and the creation of additional off-street parking for two vehicles. The proposed garage conversion will project 2.64 metres from the side elevation and will be 4.85 metres in length from front to rear. The front elevation will include a window to replace	

the existing garage door, and the rear will include one small window to replace an existing single door. The side elevation facing the adjoining neighbouring property 13 Thirlmere Road will remain blank.

It will be finished in white spar render, Marley grey roof tiles and white UPVC doors and windows to match the existing property.

The existing driveway is currently unusable due to level changes as the driveway slopes downwards from the pavement to the driveway. It is proposed to utilise part of the front garden to create a new parking arrangement.

The new driveway will be 5.2 metres in width and will 4.8 metres in length and will be finished with hardcore infill and paving slabs.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications at this site.

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highway Authority & Local Lead Flood Authority

1st response - Further information and clarification is required for the following:

As presented on the block plan the proposed parking spaces through a rough scale measure at its longest length 5m tapering down to 4m due to the curve in the existing footway, a standard parking space needs to be 4.8m in length, there is concern that vehicles will overhang into the highway. We suggest the driveway is moved westward until the required bay length can be achieved, unless the proposed block plan can be clarified. The applicant may wish to consider the following: Extending the existing driveway and kerb line to suit may be an alternative option, as moving the parking area will require a new dropped access and the old access removed and returned to standard footway at the expense of the applicant.

Upon receipt of the above information we will be able to provide a further response.

2nd response - We requested further information, having received this we are content with the plans provided. I can confirm that we have no objections to the proposal, subject to the recommended conditions being included in any Notice of Consent which may be issued.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 7 no. properties. No objections have been received as a result of this consultation.



Cumberland Council

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

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland. The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Development Plan Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Emerging Copeland Local Plan 2021-2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the ELP. The Local Plan Examination Hearing Sessions were completed in March 2023. The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination. The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six-week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28th March 2024. The

Planning Inspectors Report is 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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

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

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

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, its scale and design, the potential impacts on residential amenity, highway safety and ecology.

Principle of Development

The proposed application relates to a residential dwelling within Millom and it will provide an additional bedroom which is a conversion of the existing garage, and two additional offroad parking spaces for the property.

Policy DM18 and Policy H14PU supports extensions 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, Policy H14PU and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10, DM18, and Policy H14PU seek to ensure domestic alterations are of an appropriate scale and design which are appropriate to their surroundings and do not adversely affect the



Cumberland Council

amenities of adjacent dwellings.

Both the garage conversion and the proposed new parking area are to be suitably located within the site and will be relatively modest in scale. As the garage already exists on site, it will not be excessively prominent within the street scene.

The existing driveway is currently unusable due to level changes with the driveway sloping downwards from the pavement. It is proposed to utilise part of the front garden to create a new parking arrangement. As this is located at the end of a cul de sac, the design is suitable for its use and the choice of materials are considered to be appropriate.

The proposal is not considered to be excessively prominent in the streetscape and will reflect other driveways and garage conversions in the wider locality.

It is therefore considered that the street scene will not be detrimentally altered as a result of this development. On this basis, the proposal is considered to comply with Policies DM10, DM18 of the Local Plan, Policy H14PU of the Emerging Local Plan 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 development will have little impact on the residential amenity due to its scale and siting given that the garage already exists on site.

As part of the proposal to convert the garage into a bedroom, the side elevation facing the adjacent neighbour at number 13 Thirlmere Close will remain blank, therefore there are no additional overlooking issues considered as part of this development.

Furthermore, as the proposal relates to an existing garage, and a new driveway/offroad parking area which are located at the end of a cul de sac, it is not considered that there will be any loss of privacy for the neighbouring properties.

On balance, it is considered that the proposal will not have a detrimental impact on the residential amenity and therefore it is considered to meet Policy DM18 and the NPPF guidance.

Highway Safety

Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

Following a consultation with the Highway Authority, amended plans were sought to reflect a standard parking space following concerns regarding the size of the area which would result in vehicles overhanging into the highway.

A site visit and notes submitted by the agent confirmed the current driveway/park arrangement was not useable and therefore, the principle of off-street parking is both necessary and acceptable to avoid vehicles dominating the street scene.

It is considered that the proposed driveway as amended provides adequate off-street parking to meet the needs of the property.

In addition, the Highway Authority raised no objections to the proposal following the amendments requested, subject to the use of three planning conditions relating to bituminous or cement bound materials, dropped kerb specifications and surface water discharge being implemented.

On this basis, the proposal will not have a detrimental effect on the existing highway conditions and it is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan, Strategic Policy N1PU of the Emerging Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that may have an effect on nature conservation sites, habitats and protected species.

The application site is identified as being a potential area for Natterjack Toads, however, the application is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and it is therefore not considered to be supported by any ecology details as the site is located within a built-up residential area.

On this basis it is considered that it would not be necessary to seek a protected species survey for this minor householder application as the location of the works being carried out are to an area that already contains an area of hard surface, and therefore it is not considered that this development will disturb any habitats.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan, Strategic Policy N1PU of the Emerging Local Plan and NPPF.

Planning Balance and Conclusion

This application seeks to convert the existing garage into a bedroom, and create additional off-street parking for two vehicles to serve this detached property within Millom.

The proposals are not considered to be excessively prominent within the locality and the design and materials proposed are considered to respect the character and appearance of the existing property and wider residential area.

In addition, taking into account the scale of the proposal and siting within the site, the proposed design is acceptable, and it will not adversely harm the neighbouring amenity or highway safety.

The proposal is not supported by any ecology details.

On balance, the proposed extension represents an acceptable form of development which

	<p>accords with the policies set out within the adopted Local Plan, the Emerging 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. <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. 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: - <ul style="list-style-type: none"> - Application Form, received 19th April 2024; - Site Location Plan, scale 1:1250, received 19th April 2024; - Block Plan, scale 1:500, received 19th April 2024; - Existing part floor plan, scale 1:50, received 19th April 2024; - Proposed part floor plan, scale 1:50, received 19th April 2024; - Section A-A, scale 1:50, received 19th April 2024; - Existing Elevations, scale 1:100, received 19th April 2024; - Proposed Elevations, scale 1:100, received 19th April 2024; - Revised Parking Plan details (amended), scale 1:50, received 20th May 2024. <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 access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the development is brought into use.

Reason

In the interests of highway safety.

4. The vehicular crossing over the footway, including the lowering of kerbs and re-instating kerbs, shall be carried out to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason

To ensure a suitable standard of crossing for pedestrian safety.

5. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

Informative Notes

- Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.
<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>
- Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.



Cumberland Council

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 : 25/06/2024

Authorising Officer: N.J. Hayhurst

Date : 26/06/2024

Dedicated responses to:- N/A