

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2235/0F1
2.	Proposed Development:	PROPOSED CARPORT/SHED
3.	Location:	35 ASBY ROAD, ASBY
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: SITE AND LOCATION <p>This application relates to 35 Asby Road, a large end terraced property that is situated on the edge of the hamlet of Asby. The site benefits from a sloped driveway with various detached outbuildings to the front/side, and a large rear garden. The site is bound by Asby Road to the front.</p> PROPOSAL <p>Planning Permission is sought for the removal of the two existing sheds to the front/side, and the erection of a new carport/shed.</p> <p>The proposed carport/shed will be of “L-Shaped” construction and will be 6.096 metres in width from front to back and 7.620 metres in length.</p>	

It will be finished with fibre cement sheets over concrete panels, welsh slate roof tiles to match the dwellinghouse with solar panels inset, and white upvc windows and doors.

RELEVANT PLANNING APPLICATION HISTORY

None relevant.

CONSULTATION RESPONSES

Arlecdon & Frizington Parish Council

No comments received.

Highways and LLFA

As this falls under our Service Level Agreement (SLA) with your Council, this 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. The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 no. properties. No objections have been raised as a result of this 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 DM18 – Domestic Extensions and Alterations

Emerging Copeland Local Plan (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 will close 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

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposed 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 residential dwelling within Asby, and it will provide a single storey carport/shed for the property.

Policy DM18 supports extensions and alterations 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 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 carport/shed will replace two existing sheds in this location. It will be of “L-Shaped” construction and will be 6.096 metres in width from front to back and 7.620 metres in length and has been designed to include a dual pitched hipped gable roof with an eaves height of 2.593 metres.

The proposed carport/shed is considered to be relatively modest in scale, given that it is replacing two existing sheds, and is appropriately located within the site. Despite being located on the front/side elevation and in an elevated position bound by Asby Road, the site is well screened by mature trees and shrubs which will ensure that the proposal is not excessively prominent within the locality.

The carport/shed will be finished with fibre cement sheets over concrete panels, welsh slate roof tiles to match the dwellinghouse with solar panels inset, and white upvc windows and doors. The design is considered to be suitable for its use and the choice of materials proposed, despite not fully matching the existing property, are considered to be of better and more suitable quality than those that currently exist on the existing sheds. The new building will still respect the existing character and appearance of the parent property and wider residential area.

Overall, the proposal is considered to meet Policy DM18(A) Policy H14PU 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 both the parent property and adjacent dwellings.

Whilst amenity issues between the proposed carport/shed and the neighbouring properties were considered, the proposal is considered to be suitably located within the site and is of an appropriate scale and design.



Cumberland Council

	<p>The proposal will replace two large outbuilding that already exist in this location, and although bigger, is still considered to be modest in scale for the overall size of the site. However, due to its scale, it is proposed to control the use of the building by use of a suitably worded planning condition which ensures that the carport/shed is used in connection with the main dwelling and not for business purposes in order to further protect residential amenity.</p> <p>The proposal contains a large open-ended carport to the existing driveway and a small door and window on the West elevation with 2 solar panels on the roof. The South elevation contains two further solar panels on the roof. The North and East elevations remain blank.</p> <p>The proposal is located on a large plot on an end terraced property with no directly adjacent neighbours to the proposal. In this location it will not have any detrimental impacts on the nearest residential properties in accordance with Policy DM18 o the adopted Local Plan, Policy H14PU of the ELP and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a carport/shed in connection with the parent property which replaces two existing outbuildings on site.</p> <p>The main issues raised by the application were the proposals scale and design and the potential amenity issues.</p> <p>The proposal is considered to be suitably located and will be acceptable in terms of scale and design. In addition, it is considered that the proposal will not have any detrimental impact on the amenities of the adjoining properties.</p> <p>The choice of materials used are considered suitable for this use and will respect the character of the existing dwelling and wider residential area.</p> <p>On balance, the application is considered to be 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. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended</p>

by the Planning and Compulsory Purchase Act 2004.

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: -
- Application Form, received 9th July 2024;
 - Site Location Plan, scale 1:500, received 9th July 2024;
 - Site Location Plan, scale 1:1250, received 9th July 2024;
 - Block Plan, scale 1:400, received 9th July 2024;
 - Proposed Elevations (sheet 3 of 12), scale 1:100, received 9th July 2024;
 - Sectional Elevations (sheet 4 of 12), scale 1:100, received 9th July 2024;
 - Roof Plan (sheet 5 of 12), scale 1:50, received 9th July 2024;
 - East Elevation (sheet 6 of 12), scale 1:50, received 9th July 2024;
 - North Elevation (sheet 7 of 12), scale 1:50, received 9th July 2024;
 - West Elevation (sheet 8 of 12), scale 1:50, received 9th July 2024;
 - South Elevation (sheet 9 of 12), scale 1:50, received 9th July 2024;
 - Steelwork Floor Plan (sheet 10 of 12), scale 1:50, received 9th July 2024;
 - Sectional Steelwork West Elevation (sheet 11 of 12), scale 1:50, received 9th July 2024;
 - Sectional Steelwork South Elevation (sheet 12 of 12), scale 1:50, received 9th July 2024;

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. The carport / building hereby approved shall be used for the housing / parking of private vehicles and domestic equipment only in association with the residential property known as 35 Asby Road and for no commercial or business purposes whatsoever.

Reason



Cumberland Council

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

Informative Note

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 : 30/08/2024

Authorising Officer: N.J. Hayhurst

Date : 02/09/2024

Dedicated responses to:- N/A