



**To: PLANNING PANEL**

**Development Control Section**

**Date of Meeting: 03/03/2021**

<b>Application Number:</b>	4/21/2007/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr Paul MacDonald
<b>Application Address:</b>	LAND TO REAR OF 29 MID STREET, KELLS, WHITEHAVEN
<b>Proposal</b>	ERECTION OF A GARAGE
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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### **Reason For Determination By Planning Panel**

This application is brought for consideration by Members of the Planning Panel as the proposal relates to a garage site which is owned by the Council.

### **Site and Location**

This application relates to an area of land to the rear of 29 Mid Street, located within the Kells area of Whitehaven. The site is currently occupied by a number of small detached garages and is known as the Mid Street Garage Block.

### **Proposal**

Planning Permission is sought for the erection of a pre-fabricated garage, adjacent to an existing garage. The proposed garage will measure 3.2 metres in width and 6.17 metres in length, with a mono-pitched roof and an overall height of 2.21m with an eaves height of 1.98 metres. The front elevation will include the garage door. All other elevations will be

blank. The garage will be coated with a spar pebbledash exterior finish, a galvanized steel roof with Grafo-Therm and a white horizontal rib up-and-over door.

### **Relevant Planning Application History**

There have been several previous approved applications for garages on this site.

### **Consultation Responses**

#### Whitehaven Town Council

No objections.

#### Highways Authority

No objections.

#### Lead Local Flood Authority

No objections.

#### Public Representations

Public representations for this application have been advertised by way of site notice and neighbour notification letters issued to 3 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

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide (CDG)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but 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.

**Assessment**

The key issues raised by this proposal are the principle of development, its siting, scale and design, 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 within an existing garage site, which is located within the Kells area and falls within the settlement boundary of 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.

**Siting, 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 garage will be located adjacent to an existing garage and it will be modest in scale. The design respects the character of the overall site, which comprises a collection of small garage units. Externally, the buildings will be finished in pebble dashed panels, with a metal garage door and a galvanised steel roof. These materials are considered to be appropriate in this location.

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 to the rear of Mid Street and its relationship with the neighbouring dwellings adjoining the 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 not materially different from the other existing garages on the site. It is however appropriate to attach a planning condition to ensure that 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 with a suitable access off an unclassified road. The Highways Authority have raised no objections to the proposal as it is unlikely the addition of one garage on the site will have an adverse impacts on the existing highway conditions. On this basis, the proposed garages are considered to meet Policy DM22.

### **Planning Balance and Conclusion**

The proposed garage is of an appropriate design and would not have any detrimental impact on the amenities of the surrounding residential properties. In addition, the proposal would not have any adverse impact on existing highway conditions and highway safety.

Overall, the proposal is considered to be an acceptable form of development for this existing garage site and accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

### **Recommendation:-**

Approve subject to the following conditions:-

### **Conditions**

1. The development hereby permitted must commence before the expiration of three years from the date of this permission.

#### **Reason**

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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: -

Location Plan, scale 1:1250, received 6<sup>th</sup> January 2021;  
Block Plan, scale 1:500, received 6<sup>th</sup> January 2021;  
Proposed Elevations, received 6<sup>th</sup> January 2021;  
Proposed Layout Plan, received 6<sup>th</sup> January 2021;  
Proposed Garage Specifications, received 6<sup>th</sup> January 2021.

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 garage must be used for the parking of private vehicles and the 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](http://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.