

Allerdale Borough Council

Planning Application HOU/2019/0234

Development Panel Report

Reference Number: HOU/2019/0234
Valid Date: 02/12/2019
Location: 8 Woodside Avenue Cockermouth
Applicant: Mr Barry Wilkinson
Proposal: New garage to replace pre fab one - Retrospective

RECOMMENDATION

Grant permission subject to conditions

1.0 Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	A domestic outbuilding within the rear garden of the dwelling is considered appropriate.
Scale and Design	The proposed development is acceptable in scale and design, the proposed extension is subservient to the host property and the materials are acceptable for the dwelling and will not have a detrimental impact upon the character of the locality.
Highways	The Highway Authority have responded with no objections as it is considered that the proposal does not affect the highway. The existing parking arrangements meet the operational car parking requirements for the property.
Residential Amenity	The proposed development would not result in any significant loss of amenity of neighbouring residential properties.

2.0 Proposal

- 2.1 Planning consent is sought for the erection of a detached garage. This is to be 7.8m in length, 3.8m in width, 2.5m to eaves and 4m total height. The application is retrospective.
- 2.2 The application is being referred to the Development Panel following a call-in request by Councilor Smith. His reasons for referral are that the development is large for the ground area, its massing and it represents un-neighbourly development.

3.0 Site

- 3.1 The host property is semi-detached and located within a residential estate.

4.0 Relevant Planning History

- 4.1 There is no relevant planning history.

5.0 Representations

Town/Parish Council

- 5.1 Refusal due to size, massing and effect on neighbouring properties.

Cumbria County Highways

- 5.2 No objections to the proposed development as it is considered the proposal does not affect the highway. The LLFA surface water map shows flooding to the area and indicates a 1% (1 in 100) chance of occurring each year.

Other representations

- 5.3 The application has been advertised by notifying adjoining owners, following this no further representations have been received to date.

6.0 Environmental Impact Assessment

- 6.1 With regards to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the development falls within neither Schedule 1 nor 2 and is, as such, not EIA development.

7.0 Development Plan Policies

Allerdale Local Plan 1999

7.1 The site is within the saved settlement limits.

Allerdale Local Plan (Part 1) 2014

7.2 The following policies apply:-

S2 Sustainable Development Principles

S4 Design Principles

S32 Safeguarding Amenity

DM14 Standards of Good Design

DM15 Extensions and Alterations to Existing Buildings and Properties

8.0 Other material considerations

Allerdale Borough Local Plan (Part 2) Submission Draft

8.1 The site is within the proposed settlement limits.

National Planning Policy Framework (NPPF) (2019)

8.2 Paragraph 213 advises that the weight afforded to development plan policies can vary according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

8.3 Paragraph 127 states that developments:-

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

9.0 Policy weighting

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan 1999 saved settlement limits and the Allerdale Borough Local Plan (Part 1) 2014 policies have primacy.

- 9.2 A material consideration is the provisions of the revised NPPF. To recall, paragraph 213 advises that the weight afforded to development plan policies can vary according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 9.3 In this instance, all Local Plan Part 1 policies are afforded full weight. There are no relevant Part 2 policies to be afforded weight as material considerations.

10.0 Assessment:

Prevailing character

- 10.1 Policies S4, DM14 and DM15 are applicable. The locality is made up of two storey dwellings with a mixture of semi-detached and terraced properties. Where garages and other detached outbuildings exist, they tend to be at the rear of dwellings at the end of private driveways abutting the side boundaries. The majority of these structure appear to be of the pre-cast concrete variety typically about 6m by 3m with shallow pitched, gabled roofs rising to a height of approximately 2.5m to 3m above ground level. There are one or two exceptions where the detached garage is larger and constructed or masonry faced in render. One example is on Kirkfell Avenue.

Issues to be considered

- 10.2 The issues raised by the Town Council refer to concerns in relation to size, massing and effect on neighbouring properties. These are valid considerations referred to in the aforementioned development plan policies.
- 10.3 In terms of footprint, the garage is not materially larger than the plethora of garages within the locality and its back garden location is not atypical either. The blockwork, which will be covered in textured render, is not common for outbuildings because, as previously stated, other examples tend to be pre-cast concrete or cement sheeted examples. However, render is common for the dwellings as is the gabled form that has been built. The issue for consideration is, therefore, the height of the eaves and ridge and, when considered in conjunction with the length, whether this appears overly large in this area and harming the amenity of the adjoining occupiers to the rear and side.

Scale and massing

- 10.4 Taking the scale in the context of prevailing character, it is opined that the garage is not incongruously large. It leaves the majority of the rear garden undeveloped and is clearly single storey and subservient in scale to the host dwelling. It is of a scale that appears visually as an ancillary domestic structure.
- 10.5 Although visible from public vantage points, the setback position means it is not an over dominant structure within the streetscene.

Residential amenity

- 10.6 Policy S32 is applicable. The proposal has been assessed from the adjoining properties.
- 10.7 The eaves height is 2.5m and the roof slopes upwards away from the boundary with 10, Woodside. It is 9m away from the rear elevation this adjoining dwelling. Being to the west of this adjoining dwelling and its garden, there is potential for overshadowing, but the pitch sloping away and still modest ridge height are considered to ensure that the impact will not be significant. There is also considered to be little difference in the impact in comparison to a development which falls within Part E permitted development rights; a similar structure, marginally smaller structure could have been built using these rights.
- 10.8 This is a finely balanced assessment but one that is tipped in favour of the proposal. No overlooking will arise from the development.
- 10.9 The proposal is located 1m away from the rear boundary that adjoins 7 Lingfell Avenue. This dwelling is located approximately 17m away from the common boundary and this is considered to be sufficient distance to preserve the amenity of occupiers. The private garden to 7, Lingefell is nearer (filling the 17m separation distance). The development is also to the south of this garden and therefore in the direction of the path of the sun. However, even in winter then sun will be higher than the height of the garage during the middle of the day when it passes to the south. As such amenity is considered to be preserved.

Highway safety

- 10.5 The Highway Authority have responded with no objections as it is considered the proposal does not affect the highway. The existing parking arrangements meet the operational car parking requirements for the property and are considered acceptable.

Local Financial Considerations

- 10.6 Having regard to S70 (2) of the Town and Country Planning Act the proposal will potentially have future financial implications arising from Council Tax Revenue.

11.0 Conclusions

- 11.1 The proposal would accord with policies S2, DM14, DM15 and S32 of the adopted Allerdale Local Plan Part 1 (2014) and the provisions of the National Planning Policy Framework 2019.

RECOMMENDATION

Grant permission subject to conditions

Annex 1

CONDITIONS

- 1. The development hereby permitted shall be carried out solely in accordance with the following plans:**

Site Location Plan

Block Plan

Proposed garage

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.



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