



**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2234/OF1
2.	Proposed Development:	ERECT BEDROOM, STUDY AND DINER EXTENSIONS
3.	Location:	BURNEY, THE GREEN, MILLOM
4.	Parish:	Millom Without
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - 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:	<p>INTRODUCTION</p> <p>The application site is located towards the eastern end of the small settlement known as The Green, which is defined as open countryside by the Copeland Core Strategy 2013. Vehicular access to the site is made from a private road to the east of the site. The site has further dwellings to both the south-eastern and western borders and open countryside to the north.</p> <p>PROPOSAL</p> <p>This application seeks planning permission for the erection of two single storey extensions, one to the front - southern elevation of the property and one to the rear – northern elevation.</p> <p>The proposed extension to the front elevation would extend forward of the existing principal elevation by 7.05 metres and would have a width of 6.55 metres. The extension proposed to the rear elevation would extend out by 2.50 metres from the existing rear elevation and would have a width of 4.50 metres. Both proposed extensions would have the same eaves heights as those of the host property and would have pitched roofs set lower than the height of the main roof height of the host property.</p>

CONSULTATION RESPONSES

Millom Without Parish Council

No response received.

Cumbria Highways

Cumbria Highways have responded to confirm the following:

The layout details shown on the submitted plan are considered satisfactory from a highway perspective. I can therefore confirm that the Highway Authority has no objection to the proposed development.

The Lead Local Flood Authority (LLFA)

The LLFA have stated; That the site is already affected by flooding and the proposed works will not increase the risk of flooding on this site or elsewhere therefore I would raise no objections to the proposal as submitted.

Copeland Borough Council - Engineer (Flood & Coastal Defence)

The Council Coastal Defence Engineer requested further information with regard to flood resilience and the drainage of the proposed extensions although the issues raised were mainly related to Building Control matters. The applicant subsequently supplied the additional information that addressed Engineers points and no objection to the proposal has been received.

Public Representation

The application has been advertised by way of a neighbour notification letters issued to 4 no. properties.

One letter of support has been received and three letters of objection have been received as a result of this consultation process albeit these 3 letters are from the same objector.

The points raised within the 3 letters of objection are:

1. The combined footprint of the proposed extensions are 61.5 Sq Metres of which represents an increased floor area of 57%. This will result in a large increase in run off rain water.
2. The field to the rear (north) of the application site is where the current soakaway is located, this soakaway does not have the capacity to deal with the increase of rainwater runoff from the site.
3. The drainage and waste arrangements for the development may be able to meet the requirements of Building Regulations.
4. DEFRA Advice – Risk of Flooding From Surface Water Data: States development is inadvisable where the development would lead to an increased risk of flooding from surface water.
5. A previous planning application made under the reference 4/14/2079/0F1 (Demolition of a garage and the erection of a two storey house) was refused due to flooding risk. This refusal

was tested at appeal but the Councils decision was upheld.

6. The proposed extension is 5.8m away from the adjacent bungalow, The Orchard, and whilst at present there has been no flooding of the land to date, the additional 61.5m² roof area would no doubt stress the current working situation.
7. It should be noted that the proposed extension would be located over an area which presently is soft landscape.
8. During the past 40 years of living at the Spinney, there has been a changing surface water regime in this area. The changes in Building Regulations during those 40 years which manage the dispersal of rainfall are quite understandable and very necessary to protect, as far as practically possible, existing homeowners.

PLANNING POLICY

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

Copeland Borough Local Plan 2013 – 2028

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy
- Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)

- Policy DM10 – Achieving Quality Place
- Policy DM11 - Sustainable Development Standards
- Policy DM12 - Standards for New Residential Developments
- Policy DM18 – Domestic Extensions and Alterations
- Policy DM24 - Drainage

Other Material Planning Considerations

NPPF 2019

ASSESSMENT

The Principle of Development

The principle of the development accords in general terms with the aims of Policy ST1 and section 12

of the NPPF, both of which 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.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the host property or adjacent dwellings.

The single storey extension proposed to the northeast elevation of the property would not cause any harm overlooking or loss of amenity to any of the neighbouring properties. There are no properties that boarder the site on the north east boundary and therefore it is considered that this proposal is acceptable.

In terms of the single storey development proposed on the south-western elevation, this would extend forward of the principal elevation of the property by 7.05 metres and would be 6.5 metres in width. Whilst this section of the development would be closer to the property located to the south west of the site – The Orchard, given that there is an existing single storey garage in position on the border between the two sites, it is considered that the proposed development would not introduce any new or harm impact upon the amenity of the property in terms of loss of privacy and or noise.

The application site would retain a sufficient level of off street parking and amenity land to ensure that the amenity of the local residents and those within the application would not be adversely affected by the proposal.

On this basis, the proposal is considered to meet DM18 policy and the NPPF guidance.

Character

The application site is located on the eastern edge of the small village called The Green. A site visit confirmed that a number of the local properties had been extended over the years and there is no single common design theme or style within the local area, but an individual range of properties each with its own style and character. The application site is set back from the public highway and is located behind a property known as The Orchard, this property shields much of the application site from the public realm. There are no Conservation Areas or Listed Buildings within close proximity of the application site.

The scale and design of the proposed extensions are both proportionate and appropriate with the character of the host property. The lower roof heights ensures that the extensions remain a subservient feature to the main host property. Whilst one of the points raised within the objections received stated that the total increase in floor space would be 57%, it is not considered that this would result in a disproportionately sized property either within the local area or within the applicant site itself.

The application form confirms that the materials to be used on the external surfaces of the proposed extension will match those of the existing host property. However, in order to ensure that the development is constructed in matching materials and thereby safe guarding the character of the surrounding area, it is considered to be expedient to attached a condition to the decision notice to secure this.

Based upon the above consideration, it is considered that the design and scale of the proposed extensions would not cause any harmful impactation upon the character of the local area.

On this basis, the proposal is considered to meet DM18 (A) policy and the NPPF guidance

Drainage

Policy ENV1 and DM24 seeks to protect developments against risks of flooding and ensure that new developments do not contribute to increased surface water run-off.

The Lead Local Flood Authority confirmed that they had no objection to the proposal as have the Environment Agency.

Issues Raised by Local Neighbours

During the public consultation period, one letter of support was received, but this did not relate to any material planning considerations. Three letters of objection were received from the same member of the public.

The key concern raised is that of flood risk and the potential impact of the proposed development upon the surrounding area. The LPA has consulted both the Environment Agency (EA) and the Lead Local Flood Authority (LLFA). The EA have confirmed that as the proposed development does not exceed 250 sq metres, they have referred to their standard advice. The LLFA have replied to confirm:

"From an LLFA point of view it is noted that the site is already affected by flooding and the proposed works will not increase the risk of flooding on this site or elsewhere therefore I would raise no objections to the proposal as submitted".

The Councils Flood and Coastal Defence Engineer was consulted on the application and he has confirmed, that following the submission of additional information, he is happy with the information supplied.

The previous planning application referred to which was refused under the reference 4/14/2079/0F1 related to the erection of a new dwelling house. The member of the public that has raised these concerns, has been advised that this is a different planning principle to that of extensions to an existing dwelling house and that the refusal of the above application does not set a planning precedence.

	<p>In summary of the public consultation responses received, whilst the concerns raised are understandable given that the application site is located within a flood zone 3, it is considered that the main context of the concerns raised relate to issues that would need to be resolved by Building Control legislation rather than under the planning legislation. The LPA has consulted with the appropriate statutory agencies with regard to flooding and have considered their replies within this assessment and recommendation.</p> <p><u>Conclusion</u></p> <p>Overall, this 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>Condition(s):</p> <ol style="list-style-type: none"> <p>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>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> <p>Proposed Extensions Plan Sheet 1 – 7-6-20 Ref 1651 Received 2nd July 2020 Proposed Floor Plan Sheet 2 – 7-6-20 Ref 1651 Received 2nd July 2020</p> <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> <p>The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture to those of the existing building.</p> <p>Reason</p> <p>To ensure a satisfactory appearance of the building in the interests of visual amenity.</p>

	<p>Statement</p> <p>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.</p>
<p>Case Officer: Adrian Adams</p>	<p>Date : 26.08.2020</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 10/09/2020</p>
<p>Dedicated responses to:- Letter to objector</p>	