

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/20/2305/OF1
2.	<b>Proposed Development:</b>	ERECT KITCHEN AND BATHROOM EXTENSION ON REAR ELEVATION
3.	<b>Location:</b>	37 MARKET STREET, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Off Coalfield - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  SITE AND LOCATION  This application relates to 37 Market Street, a terraced property situated within the town of Millom.  PROPOSAL  Planning permission is sought for the erection of a replacement single storey rear extension to create an enlarged kitchen-dining room and an additional bathroom. It will project 6.5 metres from the rear elevation and will be 2.98 metres in width. It will have a lean-to roof with an overall height of 3.37 metres to match the previous extension and an eaves height of 2.5 metres. The rear elevation will be left blank and the side elevation will include two windows. It will also be lit by one skylight. The proposed extension will be finished in Canterbury spar render to match the existing property, the roof tiles will be 'Redland Cambrian' grey slate and the windows will be white UPVC.	

## RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

## CONSULTATION RESPONSES

### Consultees

Millom Town Council – No objections.

Copeland's Flood Engineer – No objections.

### Public Representation

The application has been advertised by way of neighbour notification letters issued to 2 no. properties.

No objections have been received 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

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Development Proposals and Flood Risk

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

## ASSESSMENT

The key issues raised by this proposal are its scale and design, the potential impacts on residential amenity and flood risk.

### 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 rear extension is modest in scale and appropriately located within the rear garden. The extension will reflect the existing rear extension but it will create a larger kitchen-dining room and an additional bathroom. The lean-to roof design will reflect the character and appearance of the existing property and terraced street. In addition, the proposed materials will match the existing property.

On this basis, the proposal is considered to meet Policy DM18(A) 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.

Due to the proposal siting within the site, it is considered that the proposed extension will have minimal overshadowing issues on the surrounding properties as it will be set back from the boundary by 1.31 metres. In addition, under current Permitted Development Rights, ground floor windows can be installed without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the replacement extension is not significantly larger than the existing extension and the side elevation windows are permitted development, the proposal is considered to be acceptable and therefore the windows will not have a detrimental impact on the neighbouring amenity. It is also considered that the existing boundary wall will help screen the extension and mitigate overlooking and overshadowing issues.

On this basis, the proposal is considered to comply with Policy DM18 and the NPPF guidance.

### Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be accompanied by a Flood Risk Assessment (FRA). Policy DM24 seeks to protect developments against risks of flooding.

The application is accompanied by a Householder and Other Minor Extensions in Flood Zones 2 and 3 form. It is considered that the rear extension within Flood Zones 2 would be an acceptable form of development, based on the guidance set out in the NPPG.

The details submitted as part of the application confirm that the floor level of the extension will be the same level as the existing ground floor and there will be no increase in drained surface water as the existing back yard is concreted.

In addition, all sockets and switches will be set 450mm above the floor level and the air brick on the front elevation to the timber floor section will be sealed off in times of possible flooding. The flood resilience measures and mitigation techniques proposed are considered to be appropriate and as there is an existing extension on this part of the site, the replacement extension will have minimal

	<p>impacts on the flood risk.</p> <p>On this basis, the Flood Engineer raised no objection to the proposal and it is therefore considered that the proposal will meet Policy DM24 and the NPPG guidance.</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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li> <p>The development hereby permitted must commence 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> </li> <li> <p>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: -</p> <p>Site Plan, scale 1:1250, drawing ref 1662, received 13<sup>th</sup> August 2020;  Block Plan, scale 1:300, drawing ref 1662, received 13<sup>th</sup> August 2020;  Existing Floor Plan and Elevations, scale 1:100 and 1:50, drawing ref 1662, received 13<sup>th</sup> August 2020;  Proposed Floor Plan and Elevations, scale 1:100 and 1:50, drawing ref 1662, received 13<sup>th</sup> August 2020;  Householder and Other Minor Extensions in Flood Zones 2 and 3, received 13<sup>th</sup> August 2020;  Details of Roof Covering, received 13<sup>th</sup> August 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> </li> <li> <p>The flood resilience and mitigation measures must be carried out in accordance with the Householder and Other Minor Extensions in Flood Zones 2 and 3 Form submitted with the application.</p> </li> </ol>

	<p>Reason</p> <p>To protect the property against flood damage in accordance with Policy DM24 of the Local Plan.</p> <p><b>Statement</b></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><b>Case Officer: Chloe Unsworth</b></p>	<p><b>Date : 07/10/2020</b></p>	
<p><b>Authorising Officer: N.J. Hayhurst</b></p>	<p><b>Date : 08/10/2020</b></p>	
<p><b>Dedicated responses to:- N/A</b></p>		