



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2381/0F1
2.	Proposed Development:	PROPOSED TWO STOREY EXTENSION AND BALCONY TO GABLE END
3.	Location:	CROSSWATER, CROSS SIDE, EGREMONT
4.	Parish:	Egremont
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: LOCATION <p>This application relates to Crosswater, a detached mill-conversion located within Egremont. The site benefits from a large garden, detached garage and driveway. The site is bound by residential properties to the north and east, and the River Ehen to the west and south and therefore the site falls within flood zones 2 and 3.</p> PROPOSAL <p>Planning permission is sought for the erection of a two-storey side extension and first floor balcony. The extension will project 5 metres from the side elevation and will be 4.9 metres in width. The pitched roof will have an overall height of 6 metres and eaves height of 3.7 metres to match the existing property. The ground floor of the extension has been designed to include patio doors on both the ground floor front and side elevation facing the garden. The first floor has also been designed to include windows on the front elevation, which will mirror the width of the ground floor door patio</p>	

doors. The side elevation of the first floor will include gable windows and patio doors to provide an access onto a balcony, which will project a further 1 metre from the side elevation. The rear elevation facing the boundary will remain blank. The proposed red sandstone walls, smooth white render, dark grey slate roof tiles, grey timber and composite windows and door materials will match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

Planning permission has previously been granted for the renovation and conversion of an existing sawmill to a house (ref: 4/95/0757/0) and for new stables (ref: 4/05/0650/3) and a first floor sunroom and balcony (ref: 4/20/2037/0F1).

CONSULTATION RESPONSES

Consultees

Egremont Town Council – No objections.

Highway Authority – No objections.

Lead Local Flood Authority – No objections.

The Council's Flood Engineer – No objections.

Environmental Health Officer – No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 16 no. properties. No letters of objections have been received from the neighbours.

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 ENV1 – Development Proposals and Flood Risk

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been 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 scale and design, the potential impacts on residential amenity, flood risk and land contamination.

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 extension will be relatively modest in scale and will be appropriately located within the large garden. The roof pitch and height will match the existing ridge and eaves height. The balcony will also be modest in scale, projecting a further 1 metre from the side elevation. The design respects the character and appearance of the existing dwelling and the proposed walls, roof tiles, windows and doors will match the existing dwelling. On this basis, the proposal is considered to meet DM18(A) Policy and the NPPF guidance.

Neighbour 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. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.

Potential overlooking and overshadowing issues were considered. However, the proposed rear elevation, facing the neighbouring properties will be blank and there are no neighbours directly facing the side or front elevation. In addition, the proposed balcony extension is not considered to be

	<p>materially different to existing first floor patio. On this basis, overlooking concerns are mitigated.</p> <p>The proposed separation distance from the extension and balcony to the neighbouring properties will be 21 metres, which meets standards set out in Policy DM12. In addition, the impact will be mitigated by the location of the proposed extension within a large garden, which is set back from the boundary and screened by existing mature trees.</p> <p>On this basis, it was considered that the proposal will not have any additional adverse impacts on the neighbours beyond the current position and therefore, it is considered to meet Policies DM18 and DM12.</p> <p><u>Flood Risk</u></p> <p>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.</p> <p>As the proposal is located within Flood Zone 2 and 3, the application is accompanied by a completed Householder and Other Minor Extensions in Flood Zones 2 and 3 form. Following discussions with the Council's Flood Engineer and the Lead Local Flood Authority, the agent provided additional flood resistance and resilience measures. The proposed floor levels will match the existing, water resistant mortar up to 600mm will be used and all sockets will be placed between 450mm & 1200mm from ground floor level. These measures are all considered to be appropriate to protect the extension against risks of flooding.</p> <p>The amended Householder Flood Zones 2 and 3 form satisfied both the Council's Flood Engineer and the Lead Local Flood Authority's concerns and therefore the proposal is considered to be an appropriate form of development in flood zones 2 and 3.</p> <p>On this basis, the proposal is considered to meet Policies ENV1, DM24 and the NPPF guidance.</p> <p><u>Potentially Land Contamination</u></p> <p>The consultation comments from the Environmental Health Officer confirmed that the site was a former sawmill and therefore it could be potentially contaminated. Although, the site has since been converted to a residential property in the mid-nineties and there have been no reports of contamination.</p> <p>The Environmental Health Officer confirmed that as the proposal relates to an extension, there should be limited groundworks and the garden area will remain. As such, the risk from contamination is low and the nature of development is acceptable, although it is appropriate to include an unexpected contamination informative note.</p> <p>On this basis, the proposal is considered to comply with 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.	Recommendation:

	Approve (commence within 3 years)
9.	<p>Condition(s):</p> <p>1. 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> <p>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: -</p> <p>Location Plan, scale 1:1250, received 28th September 2020; Site Plan, scale 1:250, received 28th September 2020; Existing Floor Plan, scale 1:100, received 28th September 2020; Proposed Floor Plan, scale 1:100, received 18th January 2021; Existing Elevations, scale 1:100, received 28th September 2020; Proposed Elevations, scale 1:100, received 28th September 2020; Existing and Proposed Rear Elevations, scale 1:100, received 1st February 2021; Design and Access Statement, received 29th September 2020; Householder and Minor Extensions in Flood Zones 2 and 3, received 27th January 2021; Floor Levels and Flood Level Plan, received 18th January 2021.</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>3. The flood resilience and mitigation measures must be carried out in accordance with the submitted Householder and Other Minor Extensions in Flood Zones 2 and 3 Form received by the Local Planning Authority on 27th January 2021. The flood resilience and mitigation measures must be maintained thereafter.</p> <p>Reason</p> <p>To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.</p>

	<p>Informative</p> <p>Should any unexpected ground conditions, which could indicate the presence of land contamination (for example unusual colours, odours, liquids or waste materials) be encountered during the development, work should halt and the Council be notified to agree on the appropriate action.</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: Chloe Unsworth</p>	<p>Date : 01/02/2021</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 03/02/2021</p>
<p>Dedicated responses to:- N/A</p>	