



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/20/2462/OF1 | |
| 2. | Proposed Development: | ALTERATIONS TO SUPPLEMENT THE EXISTING RESIDENTIAL ACCOMMODATION INCLUDING ADDITIONS TO WINDOWS; NEW EXTERNAL PATIO/DECK | |
| 3. | Location: | NEWTON BACK BARN, LADY HALL, MILLOM | |
| 4. | Parish: | Millom Without | |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, 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 Policies | See Report |
| 7. | Report: | <p>Site and Location</p> <p>This application relates to an existing barn conversion, known as Newton Back Barn, located within the centre of Lady Hall. The property fronts onto Lady Hall Lane and benefits from a side and stepped rear garden.</p> <p>Planning History</p> <p>4/96/0662/0 – Conversion of barns into 2 dwellings and installation of septic tank/filter tank – Approved</p> <p>4/95/0459/0 – Renewal of outline permission for conversion of barn to 2 dwellings – Approved</p> <p>4/92/0586/0 – Outline – Conversion of barn into 2 dwellings - Approved</p> | |

Proposal

This application seeks permission for alterations to supplement the existing residential accommodation. These external alterations include the following:

- South elevation: Existing built up opening enlarged to form new entrance door;
- East elevation: Existing doorway replaced with glazed screen;
- North elevation: Blocked up window reopened;
- Rooflights: Additional rooflights within north, east and south roof slopes.

These alterations will allow for the reconfiguration of the dwelling to the following:

- First floor: bedroom with ensuite bathroom;
- Upper ground floor: living/kitchen/dining room, cloakroom, and study;
- Lower ground floor: bedroom, utility room, hall, and bathroom.

This application also seeks permission for a new external raised patio/deck to the rear of the property. The proposed patio area will project from the rear of the property by 2m and will extend along this elevation by 4.3m. The patio will be 1.3m from ground level, will be accessed by patio doors, and provide access to the rear garden by external stairs. The patio will be finished with timber decking and a 1.1m glazed balustrade. It is also proposed to erect a 1.8m timber screen along the west elevation of the patio area along with planting to provide additional privacy.

Consultation Responses

Parish Council

No comments received.

Cumbria County Council – Cumbria Highways & Lead Local Flood Authority

Based on the assumption that the existing vehicular parking arrangements at the site will remain as existing, the Highway Authority and Lead Local Flood Authority has no objection to the proposed development as it is considered that the proposal will not have a material effect on existing highway conditions nor does it increase the flood Risk on the site or elsewhere.

Natural England

No comments received.

Public Representation

This application has been advertised by way of neighbour notification letters issued to three properties. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that 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

ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (2019)

Wildlife and Countryside Act 1981.

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

Scale, Design and Impact on Amenity

Policy ST1 and section 12 of the NPPF seek to safeguard good levels of residential amenity. Policy DM18 seeks 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 external alterations are considered to be appropriate with regard to the parent property and are unlikely to cause significant harm to the character of the dwelling. The proposed raised patio area is small in scale and is located to the rear of the dwelling, therefore the development is not considered to have a detrimental impact on the streetscene. Although the proposed raised patio is located in close proximity of the boundary with the neighbouring property, the development is not considered to significant increase overlooking as it is proposed to install a timber screen along the west edge of the boundary. The installation and retention of this screen can be secured through an appropriately worded planning condition. Furthermore the existing boundary wall and building associated with the adjacent property will also mitigate against any potential overlooking. On this basis, the development is not considered to cause a significant detrimental impact on the amenity of the neighbouring property.

The proposal is therefore considered to comply with policies ST1, and DM18 of the Copeland Local Plan and provision of the NPPF.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposal that are likely to have an effect on nature conservation sites, habitats and protected species.

This application is supported by a bat survey, as the site has been previously converted to a dwelling. The bat survey concludes that there is no evidence of bats roosting, however there is a possibility of opportunistic use by low number of bats at some times in the year. The level of use is not considered to be likely to be significant and mitigation is proposed, therefore significant disturbance and/or loss of roost site is unlikely to occur.

The application site is also identified as a potential area for natterjack toads. The application is not supported by any ecology details as, although the site is located within 200m of a watercourse (as indicated within the ALGE trigger list), the building is located within a built up area and has previously been developed including the creation of a hardstanding associated within a garden area. On this basis it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.

Natural England have been consulted on this application and have offered no comments on this proposal.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.

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| | <p><u>Conclusion</u></p> <p>The proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of 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"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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> <ol style="list-style-type: none"> 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:- <ul style="list-style-type: none"> - Site Survey (Amended), Scale 1:100, received by the Local Planning Authority on the 20th November 2020. - Final Proposal, Scale 1:100, 1:200 & 1:1250, Drawing No 05, Rev A, received by the Local Planning Authority on the 16th November 2020. - Bat Survey, Prepared Envirotech October 2020, received by the Local Planning Authority on the 16th November 2020. <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> <ol style="list-style-type: none"> 3. The development must implement all of the mitigation and compensation measures set out in the approved document Bat Survey, Prepared Envirotech October 2020, received by the Local Planning Authority on the 16th November 2020. These measures must be retained at all times thereafter. <p>Reasons</p> <p>To protect the ecological interests evident on the site.</p> |

4. Prior to the first use of the upper ground floor raised patio/balcony hereby approved, a 1.8m obscure screen must be erected along the western edge of the patio/balcony. The screen must be maintained at all times and thereafter retained in perpetuity.

Reason

To protect the residential amenity of neighbouring dwellings.

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.

Case Officer: C. Burns

Date : 08.01.2021

Authorising Officer: N.J. Hayhurst

Date : 11/01/2021

Dedicated responses to:- N/A