



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2478/OF1
2.	Proposed Development:	EXTENSION OF EXISTING DORMER TO REAR OF FIRST FLOOR WITH ADDITION OF BALCONY
3.	Location:	36 THE FRONT, HAVERIGG, MILLOM
4.	Parish:	Millom
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: SITE AND LOCATION This application relates to 36 The Front, a terraced property situated within the village of Haverigg. The property is located adjacent to the river, Haverigg Pool and therefore it is located within flood zone 2 and surrounded by flood zone 3. PROPOSAL Planning Permission is sought for the erection of a dormer and balcony to the rear of the dwelling. The proposed dormer will measure 3.2 metres in width and 2.5 metres in depth. It will be 2.25 metres in height and it will be located 2.1 metres below the existing ridge height. The proposed rear elevation has been designed to include bi-folding doors to provide an access onto the balcony and the side elevations will be blank. It will be finished in white K-render to match existing property, zinc sheeting in a dark grey finish to reflect the existing roof tiles and it will include powder-coated	

aluminium framed bi-fold doors to match the ground floor doors.

The proposal also includes decking at ground floor level and a balcony at first floor level, which will project 1.2 metres from the rear elevation and it will be 3 metres in width. It will be accessed from the new first floor bedroom dormer and it will be built out of galvanized steel, composite plastic decking and a glazed balustrade.

RELEVANT PLANNING APPLICATION HISTORY

There has been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Millom Town Council – No objections.

The Council's Flood Engineer – No objections.

Highway Authority – No objections.

Lead Local Flood Authority – No objections.

Cumbria County Council Footpath Officer – No objections.

Environment Agency – No comments received.

Public Representations

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 process.

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 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 the public right of way.

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 dormer and balcony will be appropriately located to the rear of the property and the scale will be modest. The dormer and bi-folding doors will reflect the ground floor patio doors and the balcony projection will match the neighbouring property. The design of the development is considered to reflect the appearance of the surrounding area, where dormers and balconies are common features along this seafront location. In addition, the proposed dormer materials reflect the existing property and the balcony materials are considered to be suitable for its use.

On this basis, the proposed decking is considered to meet Policies DM10 and DM18(A) from the Local plan and 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. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking

standards.

Overlooking issues were considered as part of this proposal given the height of the proposed platform above ground level. However, the closest residential properties directly facing the proposed development to the rear are located on the opposite side of the river, which will have a separation distance of over 40 metres. This is far in excess of the minimum distance set out in Policy DM12 and therefore overlooking issues to the rear are mitigated.

Potential overlooking to the side of the development were also considered. The side elevations of the dormer will be blank which will reduce overlooking. In addition, due the design of the existing balconies along the seafront terrace, a screening wall would not reflect the character of the area and therefore this was not included. No concerns were raised as a result of the neighbour consultation. It is considered that the potential overlooking concerns to the adjoining neighbours are minimal.

Overshadowing issues were also considered, although due to the modest rear projection, the orientation of the proposed dormer and balcony and the relationship to the neighbouring properties, it is not considered that the proposal will cause significant overshadowing.

On this basis, it is considered that the proposal will not cause a detrimental loss of amenity to the existing property or the surrounding properties and therefore the proposal is considered to comply with Policies DM12, 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 and a Flood Risk Statement, which highlighted the property is located within flood zone 2 and it is surrounded by an area of flood zone 3. However, as the proposed development relates to the first floor of the property, it is not considered to increase flood risk.

The Council's Flood Engineer raised no objection, given the nature of the proposed first floor development. The LLFA also had no objection to the proposed development but advised as the site is located within flood zones 2 and 3, and due to the close proximity to the main river, it was recommended that the Environment Agency were consulted. No comments were received from the Environment Agency, although due to the modest scale and nature of the proposed first floor development, it is considered that the dormer and balcony are an acceptable form of development.

On this basis, the proposal is considered to satisfy Policy DM24 and the NPPG guidance.

Impact on the Public Right of Way

Although the site lies adjacent to the Public Right of Way 415009 and the development might be visible from a small section of the public footpath, it is modest in scale and it will be seen in the context of the existing dwelling and as such will not have any detrimental impact on the Public Right

	<p>of Way. On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <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> <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>Location Plan, scale 1:1250, received 27th November 2020; Site Block Plan, scale 1:100, drawing no 578/02, received 27th November 2020; Existing and Proposed Floor Plans and Elevations, scale 1:50 and 1:100, drawing no 578/01, received 27th November 2020; Householder and other Minor Extensions in Flood Zones 2 and 3, received 27th November 2020; Flood Risk Statement, received 27th November 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>Informative</p> <p>Public Footpath 415009 follows an alignment to the west of the proposed development and must not be altered or obstructed before or after the development has been completed.</p> <p>If the footpath is to be temporarily obstructed then a formal temporary closure will be required there</p>

is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk.

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: Chloe Unsworth

Date : 19/01/2021

Authorising Officer: N.J. Hayhurst

Date : 21/01/2021

Dedicated responses to:- N/A