

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2503/OF1	
2.	Proposed Development:	REAR EXTENSION CONSISTING OF OPEN PLAN KITCHEN/DINING AND SITTING ROOM	
3.	Location:	STANDING STONES COTTAGE, KIRKSANTON, MILLOM	
4.	Parish:	Whicham	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Gas Pipeline - Northern Gas Pipeline - 135m buffer	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:	<p>Site and Location</p> <p>This application relates to a detached property known as Standing Stone Cottage, located to the north west of Kirksanton. The property is located adjacent to Kirkstone Farm, and was previously a milking parlour prior to being converted in 2005.</p> <p>Relevant Planning History</p> <p>4/05/2383/0 – Conversion of existing milking parlour to holiday cottage – Approve subject to S106 agreement</p> <p>4/20/2335/DOC – Removal of S106 agreement from planning approval 4/05/2383/ relating to holiday use of building – Approve</p>	

Proposal

This application seeks permission for a rear extension located to the north west gable of the dwelling. The proposed extension will measure 5.3m x 12.2m, projecting 3.7m beyond the front elevation of the dwelling. The proposal will benefit from an eaves height of 2.6m and an overall height of 5.8m.

The proposed extension will create a large open plan kitchen/dining/living room and will allow existing dwelling to be reconfigured to create a fifth bedroom/study, a utility room and a lounge. Externally the development will be finished with local stone, natural slate, white painted sash/casement windows, and grey bifold doors.

Consultation Responses

Parish Council

The Parish Council resolved to support the application but request that as a change of use from holiday to permanent residence has been undertaken that a local occupancy clause be considered for the property.

Cumbria Country Council – Footpaths Officers

The County Council's Footpaths Officer has stated that Public Footpath 416039 follows an alignment to the north side of the proposed development and must not be altered or obstructed before or after the development has been completed. If the footpath is to be temporarily obstructed then a formal temporary closure will be required there is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to one 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

Policy T1 – Improving Accessibility and Transport

Development Management Policies (DMP)

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework (2019)

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 scale and design of the proposed extension is considered to be appropriate with regard to the parent property and is unlikely to cause any demonstrable harm. It is considered that the overall design of the development is acceptable in relation to the parent property and the neighbouring properties. Due to the rural location of the dwelling and the location of the extension to the rear of the site, the development is not considered to have a detrimental impact on residential amenity. Although the proposal will project beyond the principal elevation of the dwelling the extension is not considered to significantly erode the character of the existing dwelling. The site is also well screened by an existing hedgerow therefore the development is not considered to have a detrimental impact on the surrounding area.

PROW

Public Right of Way 416039 is identified as running through the front garden of this site. The County Council's Footpaths Officer has stated that this footpath follows an alignment to the north side of the proposed development and must not be altered or obstructed before or after the development has been completed. The applicant however has provided a plan to show the current location of the PROW which has been relocated outside of the boundary of this site. This detail could not be confirmed by the County Council. However from my site visit there was no evidence that a public footpath ran through this site and the garden of the property was enclosed by a well-established

	<p>hedgerow. The development is therefore not considered to adversely impact the PROW 416039 which now runs outside the site boundary.</p> <p>The proposal is therefore considered to comply with policies ST1, and DM18 of the Copeland Local Plan and provision of the NPPF.</p> <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 Location Plan, Scale 1:1250, received by the Local Planning Authority on the 15th December 2020. - Existing Survey, Scale 1:100, received by the Local Planning Authority on the 15th December 2020. - Plans and Elevations, Drawing No PL1, Scale 1:100, received by the Local Planning Authority on the 15th December 2020. - Plans and Elevations, Drawing No PL2, Scale 1:100, received by the Local Planning Authority on the 15th December 2020. - Letter to Planning Department, received by the Local Planning Authority on the 15th December 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> <p>Informative:</p> <p>Public Footpath 416039 follows an alignment to the north side of the proposed development and must not be altered or obstructed before or after the development has been completed. If the footpath is to be temporarily obstructed then a formal temporary closure will be required there is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk.</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>
Case Officer: C. Burns	Date : 10.02.2021
Authorising Officer: N.J. Hayhurst	Date : 10/02/2021
Dedicated responses to:- N/A	