

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2059/HPAE
2.	<b>Proposed Development:</b>	PRIOR NOTIFICATION FOR A REAR SINGLE STOREY EXTENSION
3.	<b>Location:</b>	9 LINGLA BANK, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - 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>  <b>SITE AND LOCATION</b>  This application relates to 9 Lingla Bank, a semi-detached property located on an existing housing estate within Frizington.  <b>PROPOSAL</b>  An application of notification of prior approval has been submitted for the erection of a single storey rear extension. It will project 4.4 metres from the rear wall and will be 6 metres in width. It has been designed with a mono-pitched roof, an eaves height of 2.5 metres and an overall height of 3.4 metres. It will include a window and a patio door on the rear elevation and the side elevations will be blank.	

## **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this site.

## **CONSULTATION RESPONSES**

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

Four letters of objection from the adjoining neighbours have been received to the proposal which raises the following concerns:

- One neighbour raised no objection in principle to an extension, provided that the entire structure is within the current property boundary and that all construction work/future cleaning and maintenance is undertaken only within the current property boundary of 9 Lingla Bank;
- The other letters raised concerns regarding the loss of the neighbours view of the fells;
- The detrimental effect on the enjoyment and amenity of their home;
- The loss of natural sunlight and overshadowing on their small rear garden/ conservatory/ living room;
- The adverse effect on their privacy;
- The potential decrease in the value of their property;
- The proposal is extremely un-neighborly;
- The proximity to the property boundary and the proposal would take up too much of the garden space;
- The unsightly building density due to existing outbuildings within the garden;
- There have been no previous planning applications along the road.

## **PLANNING PROCEDURE**

Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 permits the enlargement, improvement or other alteration of a dwelling house. Proposed extensions on the rear of a semi-detached property which will project between 3 and 6 metres must submit a Notification of a Proposed Larger Home Extension application to the Local Authority to ascertain whether or not the proposal is Permitted Development.

Should an application receive objections from any adjoining neighbour within the 42 day

determination period, the Local Planning Authority must assess whether the impact on the amenity of all adjoining properties is acceptable. No other issues can be considered.

## **ASSESSMENT**

This application has been considered by the Local Planning Authority due to four objections received from the adjoining neighbours. The concerns related to the proximity of the extension to the boundaries, the potential overshadowing, the potential loss of privacy, the building density, the disruption of views of the fells, the impact on house values and planning applications in the wide area. The proposed extension is to project 1.4 metres further than that which could be built under Permitted Development rights, therefore the assessment of this extension has to be made in that context.

The proximity of the proposal from the boundary has been considered and additional details were sought regarding the proximity of the proposed extension to the boundary. The applicant confirmed that the extension will not be built up to the shared boundary with no. 10 Lingla Bank and the extension will not project further than the existing side elevation facing no. 7 Lingla Bank. On this basis, the existing 2.5 metre gap between the side elevation of no. 9 Lingla Bank and the boundary with no. 7 Lingla Bank will remain and therefore the siting of the proposed extension is considered to be acceptable.

As previously stated, a projection of 3 metres could be achieved under Permitted Development Rights with an overall height of 4 metres, therefore the extra projection of 1.4 metres is considered to be acceptable. The proposed mono-pitched roof design with an overall height of 3.4 metres will also be lower than what is possible under Permitted Development and therefore it is considered that the proposal will not cause a significant loss of light or dominance on the neighbouring properties beyond that which is possible under the Permitted Development rights.

In addition, there are no windows included on the side elevations facing the adjoining neighbours. The design therefore mitigates overlooking and loss of privacy concerns raised by the objections.

The building density was considered, although the proposal complies with the Permitted Development requirements. The proposed extension and the existing outbuildings will not result in more than 50% of the total area of ground being covered by buildings within the curtilage of the dwelling house. On this basis, the concerns relating to building density are not considered to be a valid reason to oppose this proposal.

The concern raised over the loss of view and property value are not material planning considerations and therefore cannot be considered as part of the assessment of this application. In addition, the concerns regarding the previous planning history for the road does not relate to the current application, so it cannot be considered.

	<p><u>Conclusion</u></p> <p>On balance, the application can only be assessed on whether the added projection of 1.4 metres will cause greater amenity issues than the 3 metres that could be built under Permitted Development rights. It is considered that, due to the modest scale and design of this proposal, there are no planning reasons to refuse the proposal as submitted which is considered to be an acceptable form of development.</p>	
8.	<p><b>Recommendation:</b> Permitted Development</p>	
9.	<p><b>Statement:</b> 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: Chloe Unsworth		Date : 24/03/2021
Authorising Officer: N.J. Hayhurst		Date : 24/03/2021
Dedicated responses to:- 7 and 10 Lingla Bank		