



**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2065/0F1
2.	<b>Proposed Development:</b>	SINGLE STOREY REAR EXTENSION
3.	<b>Location:</b>	ROCKLEA, KINNISIDE
4.	<b>Parish:</b>	Cleator Moor
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: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>INTRODUCTION</b>  <p>The application site is located within the open countryside as defined by the Copeland Local Plan 2013-2028 (Adopted December 2013). The site forms that of a detached 2 storey house that is set within a large area of private land. The main front elevation faces northwest and there are purpose built dog kennel building located to the south east of the site. Vehicular access is made from the public highway of Nannycatch Road that is located to the east of the site.</p>  <b>PROPOSAL</b>  <p>This application seeks planning permission for the erection of a single storey side extension to the southern eastern - rear elevation of the host property. This extension would replace an existing small lean-to style extension. The proposed extension would measure approximately 7 metres in width across the rear elevation of the host property, would extend out by 3.5 metres from the rear elevation and would have an overall height of 4.5 metres.</p>  <b>CONSULTATION RESPONSES</b>	

Cleator Moor Parish Council - No Comments .

Public Representation

The application has been advertised by way of a site notice that was erected to the front main entrance of the site on Nannycatch Road. No replies have been made as a result of this notice.

**PLANNING POLICY**

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

Copeland Borough Local Plan 2013 – 2028

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

- Policy DM10 – Achieving Quality Place
- Policy DM11 - Sustainable Development Standards
- Policy DM12 - Standards for New Residential Developments
- Policy DM18 – Domestic Extensions and Alterations

**Other Material Planning Considerations**

NPPF 2019

Cumbria Landscape Classification Toolkit (CLCT)

Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended in December 2020. 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 Principle of Development

The principle of the development accords in general terms with the aims of Policy ST1 and section 12 of the NPPF, both of which 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.

### Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the host property or adjacent dwellings.

As set above, the host property is located within the open countryside with the nearest dwelling house being located in excess of 300 metres away to the north of the site. On that basis, it is considered that the proposed extension would not lead to any harmful or adverse impact upon the amenity of any local residential dwelling house.

The application site would retain a decent level of amenity/garden space and the proposal does not cause an adverse effect upon the current provision for off street parking.

On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.

### Character

The application site is located approximately 250 metres to the southwest of the Lake District National Park and lies within a landscape area classified by the Cumbria Landscape Tool Kit as Low Lands – Sub Type – Ridge & Valley. Therefore, a key material consideration within this application is the impact of the proposed development upon the Lake District National Park and the character of the local area.

In terms of the Lake District National Park, it is considered that there is sufficient distance between the application site and the Park in order for the development not to cause any harmful impact upon the setting of this area.

In terms of the impact upon the local landscape area, the CLCT outlines that a key characteristic of the Ridge & Valley area is: *“Scattered farm buildings are dispersed throughout the area and are often concealed by undulations in the land and woodlands.”*

The proposed extension is located to the southern eastern - rear elevation of the Host property and so the development would not be overtly visible from the public highway (Nannycatch Road) that runs to the north of the site. On this basis the proposed extension would not have a harmful impact upon the character of the local area.

It is considered that the scale and form of the proposed extension is subservient to the host property and offers an improvement upon the existing small lean-to style structure that is currently located to the rear elevation.

The proposed extension is to be constructed of materials to match those of the existing host

	<p>property.</p> <p>On this basis, the proposal is considered to meet the aims and objectives of DM18 policy and the NPPF guidance.</p> <p><u>Potential for contaminated land</u></p> <p>A check of the Councils GIS System highlighted that the site may have potential for land contamination. Upon an informal discussion with the Council's Environmental Health Team, they commented that the site behind Rocklea was originally taken up by Dent Reservoirs. These may have been built up from the slope or cut into the hillside but there is a risk that the land has unknown fill. However, the property existed at the same time as the reservoirs so the extension will not be on the site of the reservoirs and possible fill.</p> <p>Based upon the above, it was recommended that an informative could be added to any decision notice relating to small developments where there is a small risk from infilled material but this risk is not sufficient to warrant a site investigation.</p> <p><b>Planning Balance</b></p> <p>The proposed extension is modest in scale and of an appropriate design. It will not be excessively visible from the public highway which passes the site and its impact on the character of the local landscape will be minimal.</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 and therefore, the application is recommended for approval.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</li> </ol> <p>Site location Plan Scale 1:1250 January 2021 WK/4 Received with the valid planning application on the 16<sup>th</sup> February 2021</p>

Proposed rear extension for porch and showroom – Block Plan 1:500 January 2021 WK/3  
Received with the valid planning application on the 16<sup>th</sup> February 2021

Existing Block Plan Scale 1:500 WK5 Received with the valid planning application on the 16<sup>th</sup> February 2021

Proposed rear extension for porch and shower room – Proposed plan and elevation 1:50  
January 2021 WK/2 Received with the valid planning application on the 16<sup>th</sup> February 2021

#### Reason

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.

#### Informatives

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.  
Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)
2. The proposed development lies within a where there is the potential for land contamination. Therefore: 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 development work should halt and the Council be notified to agree on the appropriate action.

#### 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: Adrian Adams**

**Date : 01.04.2021**

**Authorising Officer: N.J. Hayhurst**

**Date : 12/04/2021**

**Dedicated responses to:- N/A**