

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2141/OF1
2.	Proposed Development:	EXTENSION AND ALTERATIONS WITH RAISED FLOOR LEVEL
3.	Location:	DAMSON BARN, UNDER HILL, MILLOM
4.	Parish:	Millom Without
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: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION <p>The application relates to Damson Barn, a semi-detached barn conversion located to the southeast of Underhill, The Hill, Millom. The site benefits from a large garden and is accessed by a single track off the A5093. It also lies within flood zones 2 and 3.</p> PROPOSAL <p>Planning Permission is sought for the erection of a single-storey wrap-around extension to the side and front of the property. The proposal also includes alterations to the existing dwelling by raising the ground floor level and removing the first floor bedrooms. This will provide space for a garage and the extension will provide a new porch, an enlarged kitchen-dining room, a living room, two studies and two ground floor bedrooms with en-suites.</p>	

The extension will project 11 metre forward of the principal elevation and will be 8.7 metres in width. It will also project 9.8 metres from the side elevation and will be 13.9 metres in depth. The extension will have a pitched roof, with an overall height of 5.5 metres and an eaves height of 2.5 metres to match the existing property.

The proposal has been designed to include two garage doors and three windows on the front elevation. The side elevation facing the courtyard will include an access door to the porch and three windows and the side elevation facing the garden will include three windows. The rear elevation will also include patio doors to the garden.

The proposal will be finished with local stone facing on the front elevation, plain cement render painted cream on the side and rear elevations, local stone quoins, natural blue grey slate roof tiles, timber windows and door to match the existing dwelling and two sectional roll up garage doors.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the sub-division of an existing dwelling into two dwellings with new extension (ref: 4/13/2067/0F1) and the erection of a detached double garage (ref: 4/20/2413/0F1).

Two householder prior notification applications have previously determined that a rear extension and single storey rear extension were permitted development (ref: 4/16/2366/HPAE and 4/16/2232/HPAE).

CONSULTATION RESPONSES

Millom Without Parish Council

No objections but commented on the design and materials.

Highway Authority and Lead Local Flood Authority

No objections but requested the applicant to submit a site plan to show adequate parking in line with the Highway Authority's requirements.

Environment Agency

No objections to the development but included the Environmental Permit advice.

The Council's Flooding Engineer

No objections.

Public Representation

The application has been advertised by way of site notice and neighbour notification letters issued to 1 no. properties.

No objections have been received as a result of this consultation.

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

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM24 – Proposed Developments and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

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 principle of development, its scale and design, the potential impacts on residential amenity, highway safety and flood risk.

Principle of Development

The proposed application relates to a residential dwelling located to the southeast of Underhill, The Hill and it includes alterations to the existing property to raise the floor levels. The first floor bedrooms will be removed and the wrap-around extension will provide a porch, an enlarged kitchen-

dining room, a living room, two studies and two ground floor bedrooms with en-suites. Policy DM18 supports extensions to residential properties subject to detailed criteria, which are considered below.

Although the proposed extension is large in scale, clarification has been sought from the agent which confirms that the extension will not be used as a separate dwelling and this can be secured by the use of a condition.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18 and the NPPF guidance.

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 extension is appropriately located to the side and front of the property and will be relatively modest in scale. The extension design includes a continuation of the existing ridgeline and the front projection will create a courtyard to the front of the property. The projection will also match front projection of the neighbouring property, High Marshside's. On this basis therefore the design is considered to be suitable and it will not be excessively prominent within the street scene.

Concerns were originally raised regarding the proposed fully rendered finish of the extension and therefore amendments were sought to include local stone on the front elevation and the use of local stone quoins. These amendments are considered to appropriate and reflect the character and appearance of the existing property. In addition, the roof tiles, windows and doors will match the existing property.

On this basis, the proposal is consider to meet Policies DM10 and DM18 of the Local Plan.

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.

The proposal will be appropriately located within the site, with a separation distance of approximately 16 metres from the shared boundary with the neighbouring property, High Marshside. This distance is considered to be acceptable and therefore the proposal will not cause any overshadowing concerns. In addition, the existing boundary fence helps to mitigates against overlooking.

On this basis, it is considered that the proposal will have minimal impact on the amenity of the occupiers of the neighbouring property and therefore it is considered to comply with Policy DM18 and the NPPF guidance.

Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative

approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The site visit confirmed that the existing off-street parking located to front of the property will provide adequate parking to serve the needs of the extended property. The Highway Authority asked the applicant to submit a site plan to show adequate parking in line with the Highway Authority's requirements and therefore two parking spaces are shown on the Block Plan. It is therefore considered that the proposal will not have a material effect on existing highway conditions.

On this basis, the proposal is considered to satisfy Policy DM22 and the guidance set out in the Cumbria Development Design Guide.

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 Flood Risk Assessment as the site falls within flood zones 2 and 3. The flood resilience and mitigation measures include provision for all electrical work will be wired top down and all sockets and switched are to be located between 0.45 and 1.2 metres above the floor level to protect the buildings from flood damage and the floor levels will be raised as they are currently below the external ground level at the main access. This is considered to be appropriate as it will help protect the property against flood damage. The Gov.uk flood information has also been provided, which notes the area is shown to be low risk for river, sea and very low for surface water flooding due to existing defences.

The Environment Agency raised no objection to the proposal, as they are satisfied that the assessment of flood risk is appropriate to the nature and scale of the development proposed. It is considered that the proposed development would be safe and that it would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The applicant, as owners of the existing property, will be aware of the potential flood risk and frequency. In addition, the extension follows the standing advice for minor extensions in flood zone 3 and the finished floor levels are higher than existing.

The Environment Agency provided advice for the applicant regarding the requirements for an Environmental Permit and therefore this has been added as an informative note.

In addition, the Council's Flood Engineer raised no objections. The flood resilience and mitigation measures are considered to be suitable and the plans show that the surface water is to be disposed of to a new soakaway.

On this basis, it is considered that the proposed extension will not have a detrimental impact on increasing flood risk and therefore, the proposal is considered to meet Policy DM24 and the NPPF guidance.

Planning Balance and Conclusion

The proposed extension is of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties, highway safety or flood risk. It represents an acceptable form

	of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF. Its use as part of the existing dwelling can be adequately controlled through a suitably worded planning condition.
8.	Recommendation: Approve (commence within 3 years)
9.	Condition(s): <ol style="list-style-type: none"> The development hereby permitted must commence before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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: - Location Plan, scale 1:2500, drawing reference 1688 Amended Plan, received 6th May 2021; Block Plan, scale 1:300, drawing reference 1688 Amended Plan, received 6th May 2021; Existing Floor Plan, scale 1:100, drawing reference 1688, received 30th March 2021; Proposed Floor Plan, scale 1:50, drawing reference 1688 Amended Plan, received 6th May 2021 Existing Elevations, scale 1:100, drawing reference 1688, received 30th March 2021; Proposed Elevations, scale 1:100, drawing reference 1688 Amended Plan, received 6th May 2021; Proposed Sections, scale 1:50, drawing reference 1688 Amended Plan, received 6th May 2021; Flood Risk Assessment, received 30th March 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. The flood resilience and mitigation measures must be implemented as part of the development hereby permitted in accordance with the details set out in the Flood Risk Assessment received by the Local Planning Authority on 30th March 2021. The flood resilience and mitigation measures must be maintained thereafter.

Reason

To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.

4. The extension hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Damson Barn and must not be let or sold as a separate permanent dwelling.

Reason

The extension is not considered appropriate for use as a separate residential unit.

Informative Note

Environmental Permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- ☐ on or within 8 metres of a main river (16 metres if tidal)
- ☐ on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- ☐ on or within 16 metres of a sea defence
- ☐ involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- ☐ in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Environment Agency National Customer Contact Centre on 03708 506 506.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and therefore it is advised the applicant consult with the Environment Agency at the earliest opportunity.

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. Unsworth	Date : 24/05/2021
Authorising Officer: N.J. Hayhurst	Date : 25/05/2021
Dedicated responses to:- N/A	