

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2194/OF1
2.	Proposed Development:	ALTERATION AND EXTENSION FOR ACCESSIBLE BEDROOM
3.	Location:	13 BUTLER STREET, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, 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: LOCATION This application relates to 13 Butler Street, a terraced property located within Millom. The site currently benefits from steps up to the front of the property and a sloping yard to the rear. PROPOSAL Planning Permission is sought for the erection of a single-storey rear extension to provide an accessible ground floor bedroom and shower room to accommodate a disabled person. The extension will project 5.3 metres from the rear elevation of the existing kitchen and it will be 4.4 metres in width to cover the full rear yard. It has been designed to include a flat roof with an overall height of 2.9 metres and a skylight to provide light into the existing kitchen and the access passage. The rear elevation will include a window and access door and the side elevations will be blank. The proposal also includes an internal platform lift to provide full access to the ground floor of the	

property. It will be finished with smooth render, grey single ply roofing membrane and white UPVC windows and doors to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Millom Town Council

No objections.

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

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Practice 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 proposed are the principle of development, justification for the proposal, its scale and design, the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within Millom and it will provide a ground floor bedroom and accessible bathroom required to facilitate a disabled person. Policy DM18 supports extensions to residential properties subject to detailed criteria, which are considered below.

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.

Justification for Proposal

The Design and Access Statement submitted with the application confirms that the proposal will provide a fully accessible bedroom and shower room on the ground floor for the existing occupant who is wheelchair dependent. The application is supported by the Cumbria County Council's appointed Occupational Therapist and Copeland Borough Council's Customer and Community Services Officer and they have informed the design to ensure the plans meet the needs of the occupant. As a result of the special requirements to accommodate a disabled person and the support equipment, the extension has been designed with a footprint covering the full rear yard. The agent has also confirmed the new ground floor bedroom and shower room facilities are essential for the welfare of the owner and her disabled child who is now unable to be carried up the stairs.

On this basis, the exceptional personal circumstances are taken as a material planning considerations and the proposal is justified by medical requirements.

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 extension will be appropriately located within the rear yard and it will be appropriate in size to meet the needs of the disabled occupier. Despite the scale not complying with DM18D in terms of undeveloped curtilage, weight is given to the life enhancement it will provide with improved independence and full accessibility to the house and the outside world.

In addition, the extension will be located behind the main element of the existing dwelling and this will ensure that the proposal appears subservient to the main dwelling. It will not be overbearing for the neighbouring properties and the design is considered to reflect the existing mono-pitched roof

	<p>extensions along the terraced street. In addition, the choice of materials are considered to respect the character and appearance of the existing property.</p> <p>On balance, the proposal is considered to meet Policy DM18(A) and the NPPF guidance.</p> <p><u>Residential Amenity</u></p> <p>Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of both the parent property and adjacent dwellings.</p> <p>Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, although the extension will replace an existing rear extension and the flat roof design will reduce potential overshadowing issues. In addition, the proposed design has emitted windows from the side elevations and therefore overlooking issues will be minimal.</p> <p>In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation, with an overall height of 4 metres without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the projection is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the proposal will not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks permission for a single storey rear extension to provide a ground floor bedroom and accessible bathroom required to facilitate a disabled person.</p> <p>Despite the scale not complying with DM18(D) in terms of undeveloped curtilage, weight is given to the medical requirements and life enhancement accessibility and facilities. The extension will provide the applicant with improved independence and full accessibility to the house and the outside. On this basis, the loss of outdoor amenity space to the rear of the property does not significantly and demonstrably outweigh the benefits of the development.</p> <p>The extension will be an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties.</p> <p>On balance, given the applicant's medical requirements, the proposal 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: Approve (commence within 3 years)</p>

9.	<p>Conditions:</p> <p>1. 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>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: -</p> <p>Location Plan, scale 1:1250, drawing no 21/0289/01, received 30th April 2021; Block Plan, scale 1:200, drawing no 21/0289/01, received 30th April 2021; Existing Floor Plan, scale 1:50, drawing no 21/0289/02, received 30th April 2021; Existing Sectional Elevation, scale 1:50, drawing no 21/0289/03, received 30th April 2021; Existing Sectional Elevation, scale 1:50, drawing no 21/0289/04, received 30th April 2021; Existing Elevations, scale 1:50, drawing no 21/0289/05, received 30th April 2021; Foundations and Drains, scale 1:50, drawing no 21/0289/06, received 30th April 2021 Proposed Ground Floor Plan, scale 1:50, drawing no 21/0289/07, received 30th April 2021; Proposed Roof Layout, scale 1:50, drawing no 21/0289/08, received 30th April 2021; Proposed Sectional Elevation, scale 1:50, drawing no 21/0289/09, received 30th April 2021; Proposed Sectional Elevation, scale 1:50, drawing no 21/0289/10, received 30th April 2021; Proposed Rear Elevation, scale 1:50, drawing no 21/0289/11, received 30th April 2021; Proposed Side Elevation, scale 1:50, drawing no 21/0289/12, received 30th April 2021; Design and Access Statement, received 30th April 2021.</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>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>
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Case Officer: C. Unsworth	Date : 24/06/2021
Authorising Officer: N.J. Hayhurst	Date : 24/06/2021
Dedicated responses to:- N/A	