

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2229/OF1
2.	<b>Proposed Development:</b>	ERECT SINGLE STORY EXTENSION TO REAR ELEVATION AND RAISE PARTY GARDEN WALL TO 1.8M
3.	<b>Location:</b>	6 DERWENTWATER CLOSE, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - 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>LOCATION</b>  This application relates to 6 Derwentwater Close, a semi-detached property located on an existing housing estate within Millom.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a single-storey rear extension to provide a sunroom and ground floor shower room. The extension will project 3.52 metres from the rear elevation and it will be 4.75 metres in width. It has been designed to include a mono-pitched roof, with an overall height of 3.6 metres and an eaves height of 2.4 metres. The design includes a bathroom window on the side elevation facing the garden and patio doors on the rear elevation. The side elevation facing no. 5 Derwentwater Close will be blank. It will be finished with white roughcast render, grey cement roof tiles and white UPVC windows and doors. It will also be lit by two skylights.	

The proposal also includes a new trellis fence on the applicant's side of the boundary wall to raise the boundary fence to a maximum of 1.8 metres.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

### **CONSULTATION RESPONSES**

#### Consultees

Millom Town Council – No objections.

#### Public Representations

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

One letter of objection has been received to the initial proposal, which raised the following concerns:

- Objection to the use of the 'party wall';
- The proximity of the development to boundary would reduce the natural light;
- The siting of the development would result in the eaves and flashing overhanging the boundary;
- The development on the boundary wall would damage the neighbouring garden wall and fixed seating area;
- The roughcast material would prevent the use of the fixed seating area within the neighbouring garden;
- All building work and maintenance would need to be carried out within the application site;
- No footings or foundations within the neighbouring garden;
- Queries regarding the boundary fence alterations;
- Questions regarding any alterations or removal of the tree.

No additional concerns were received following the re-consultation with the amended plans.

### **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, 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 sunroom and ground floor shower room. 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.

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 rear extension will be appropriately located within the rear garden and it will be modest in scale. It 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 be suitable for its use.

An objection letter was received with concerns regarding the proposed roughcast render material and the building works and maintenance on the side elevation facing no. 5 Derwentwater Close. On this basis, the proposal was amended to include plain cement render on the south side elevation as this can be installed without access from no. 5. On this basis, the choice of materials are considered to respect the existing character and appearance of the existing property while addressing the maintenance and materials concerns.

Overall, the proposal is considered to meet Policy DM18(A) and the NPPF guidance.

#### Residential Amenity

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.

An objection letter was received with concerns regarding the single-storey rear extension, the proximity to the shared boundary and the potential overshadowing and loss of light within the kitchen. These concerns were taken into account and amendments were sought. Following a re-consultation of the amended plans, no concerns were raised as the extension will be stepped away from the boundary by 0.2 metres and therefore it will be located within the boundary of the application site, no. 6 Derwentwater Close. In addition, due to the orientation of the application site to the north of the neighbouring property, the extension is considered to be suitably located and therefore it is not considered that the proposal will create unacceptable amenity issues.

In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation with an eaves height of 3 metres and 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 proposed single-storey rear projection is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the loss of light will not have a detrimental impact on the neighbouring amenity.

Overlooking issues between the proposed extension and the neighbouring properties were also considered, although the proposed side elevation facing no. 5 Derwentwater Close will be blank. The proposal also includes alterations to the boundary fence to create a 1.8 metre high boundary fence, which will also help screen the extension and mitigate overlooking issues.

On balance, 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.

#### Planning Balance and Conclusion

This application seeks to erect a single-storey rear extension to provide a sunroom and ground floor shower room. The main issue raised by the application was the potential impact on the neighbouring property. One letter of objection was received and based on the issues raised additional details and amended plans were sought. Following a re-consultation of the amended plans, no concerns were raised as the extension will be stepped away from the boundary and therefore the entire development, including foundations and guttering will be located within the boundary of the

	<p>application site.</p> <p>On balance, the amended rear extension is of an appropriate scale and design and it will not have any detrimental impact on the amenities of the adjoining properties. It is therefore 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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>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> </li> <li> <p>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 reference 1697 Amended Plan, received 1<sup>st</sup> July 2021;  Block Plan, scale 1:300, drawing reference 1697 Amended Plan, received 1<sup>st</sup> July 2021;  Existing and Proposed Floor Plan, scale 1:50, drawing reference 1697 Amended Plan, received 1<sup>st</sup> July 2021;  Existing and Proposed Elevations, scale 1:100, drawing reference 1697 Amended Plan, received 1<sup>st</sup> July 2021;  Section A.A, scale 1:50, drawing reference 1697 Amended Plan, received 1<sup>st</sup> July 2021  Proposed Roof Tile Specifications, received 21<sup>st</sup> May 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> </li> </ol>

	<p><b>Statement</b></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>
<p><b>Case Officer: C. Unsworth</b></p>	<p><b>Date : 03/08/2021</b></p>
<p><b>Authorising Officer: N. J. Hayhurst</b></p>	<p><b>Date : 05/08/2021</b></p>
<p><b>Dedicated responses to:- 1 Objector</b></p>	