

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2289/OF1
2.	<b>Proposed Development:</b>	PROPOSED PLATFORM BALCONY OFF FIRST FLOOR BEDROOM
3.	<b>Location:</b>	WATERSIDE, STONEBRIDGE CLOSE, THE GREEN, MILLOM
4.	<b>Parish:</b>	Millom Without
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: YES  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 Waterside, a detached property situated within The Green, Millom. The site benefits from an existing driveway, a large garden and a rear extension.  <b>PROPOSAL</b>  Planning permission is sought for the erection of first floor balcony on the side elevation. It will project 2.398 metres from the side elevation and it will have an overall width of 3.5 metres. It will have an overall height of 2.8 metres from ground level and it will include a 1 metre high glazed balustrade. It has been also designed to include an anthracite aluminium fascia and random coursed stone clad columns to match the existing property.	

## **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the installation of driveway gate (ref: 4/05/2721/0).

## **CONSULTATION RESPONSES**

### Consultees

Millom Without Parish Council – Support the application.

### Public Representation

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

No formal objections have been received as a result of this consultation, but concerns were raised over the phone regarding the elevated position, the proximity to the neighbouring property and potential overlooking.

## **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 DM12 – Standards for New Residential Developments

Policy DM18 – Domestic Extensions and Alterations

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

### 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 and the potential impacts on residential amenity.

### Principle of Development

The proposed application relates to a residential dwelling within The Green and it will provide a first floor balcony. 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 of the Local Plan 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 proposal will be appropriately located to the side of the property and it will be relatively modest in scale. This will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. It will not be overbearing for the neighbouring properties and the design is considered to be suitable for its use. In addition, the choice of materials are considered to respect the existing character and appearance of the existing property.

On this basis, the proposal is considered to meet Policies DM10, DM18 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 the parent property or adjacent dwellings. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.

Concerns were raised verbally regarding the elevated position of the application site and the proximity to the neighbouring property. The separation distance between the proposed balcony and the domestic curtilage of the neighbouring property which lies on the opposite side of the river is approximately 35 metres. This separation distance is far in excess of the minimum standard set out in Policy DM12 and therefore it is considered to be adequate to prevent excessive overlooking. In addition, the existing mature tree screen that runs along the edge of the river boundary will provide suitable screening and mitigate potential harmful overlooking or overshadowing issues.

	<p>On balance, the proposal will not have a detrimental impact on the neighbouring amenity and it is considered to comply with Policies DM12, DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed balcony is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties. It therefore represents 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 no. A102, received 18<sup>th</sup> June 2021;  Block Plan, scale 1:500, drawing no. A101, received 18<sup>th</sup> June 2021;  Proposed Floor Plan, scale 1:50, drawing no. A101, received 18<sup>th</sup> June 2021;  Proposed Elevations, scale 1:50, drawing no. A101, received 18<sup>th</sup> June 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</p>

	permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.	
<b>Case Officer: C. Unsworth</b>		<b>Date : 11/08/2021</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 13/08/2021</b>
<b>Dedicated responses to:- 1 Neighbour</b>		