

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2403/OF1
2.	Proposed Development:	PROPOSED CONSTRUCTION OF A UTILITY ROOM
3.	Location:	WHINRIGG, BANKFIELD, BECKERMET
4.	Parish:	Beckermet with Thornhill
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Safeguard Zone - Safeguard Zone, TPO - TPO, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone
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:	<p>SITE AND LOCATION</p> <p>This application relates to Whinrigg, Bankfield, a semi-detached property located on an existing housing estate within Beckermet. The site benefits from an existing detached garage, small side porch extension and a large garden. The site also lies adjacent to Beckermet Conservation Area.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a single-storey side extension to provide a ground</p>

WC and utility room. The proposed extension will project 3.25 metres from the side elevation and it will be 3.6 metres in depth. It has been designed to include a pitched roof, with an overall height of 4 metres and an eaves height of 2.5 metres. The front elevation will include a window, the side elevation will be blank and the rear elevation will include a small window. It will be finished with dry dash render, roof tiles and UPVC windows to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for a single storey extension to side and rear terrace (ref: 4/12.2387/0F1).

CONSULTATION RESPONSES

Beckermet with Thornhill Parish Council

No comments received.

Conservation Officer

No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 5 property - 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

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA).

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 and highway safety.

Principle of Development

The proposed application relates to a residential dwelling on an existing housing estate within Beckermest and it will provide a ground floor WC and utility room. Policy DM18 supports extensions and alterations 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 proposed extension will be modest in scale and appropriately located within the side garden. The design will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. Due to its siting, 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 will match the existing property.

On this basis, the proposal is considered to comply with Policies DM10 and 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 the parent property or adjacent dwellings.

Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, although the extension will be modest in scale and appropriately located within the site.

Under current permitted development rights, a side extension could project up to half the width of the existing property 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 side extension is smaller than what is possible under permitted development, the proposal is considered to be satisfactory and therefore it will not have a detrimental impact on the neighbouring amenity. The existing boundary fence and detached garage will also screen the development and mitigate potential overlooking issues.

On this basis, the proposal is considered to meet Policies DM18(B), DM18(C) and the NPPF guidance.

Heritage Assets

Policy ENV4 and Policy DM27 seeks to protect, conserve and where possible enhance listed buildings, conversation areas and their settings and strengthening the distinctive character of the boroughs settlements through high quality urban design that respects this character.

Section 72 of the LBCA 1990 Act states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area.”

NPPF para. 199 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202). In new development, opportunities should be sought to enhance or better reveal the significance of conservation areas (NPPF para. 206).

The application site lies adjacent to Beckermat Conservation Area and the proposal relates to a modern housing estate. The proposal includes replacing a small entry porch with a larger utility room. The house itself is not a heritage asset, and the Conservation Officer considered the impact on the Conservation Area and setting of nearby non-designated heritage assets as neutral.

	<p>On this basis, the proposal is acceptable in accordance with Policies ENV4 and DM27 and the tests set out the LBCA.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed extension is of an appropriate scale and design and would not have any detrimental impact on the amenities of the adjoining properties or the adjacent heritage assets. 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.</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>Site Location Plan, scale 1:1250, drawing ref CJW117-001 Rev A, received 6th September 2021; Existing and Proposed Block Plan, scale 1:500, drawing ref CJW117-001 Rev A, received 6th September 2021; Existing Floor Plan and Elevations, scale 1:50 and 1:100, drawing ref CJW117-001 Rev A, received 6th September 2021; Proposed Floor Plan and Elevations, scale 1:50 and 1:100, drawing ref CJW117-002 Rev B, received 6th September 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>

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 : 29/10/2021****Authorising Officer: N.J. Hayhurst****Date : 29/10/2021****Dedicated responses to:- N/A**