

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2422/0F1
2.	<b>Proposed Development:</b>	SINGLE STOREY EXTENSION FOR FAMILY ROOM AND DETACHED GARAGE - AMENDMENT TO PREVIOUSLY APPROVED 4/20/2241/0F1
3.	<b>Location:</b>	LATRIGG, 1 COMMON SIDE, DISTINGTON
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - 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>SITE AND LOCATION</b>  This application relates to Latrigg, 1 Common Side, a detached property situated within Distington. The property benefits from an existing driveway and a large garden.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a single-storey rear extension to provide a family room, store, WC and covered seating area and the erection of an enlarged detached garage with utility room, WC and gym (amendment to previously approved application reference 4/20/2241/0F1).  The extension will project 4.3 metres from the rear elevation and will be 9.3 metres in width. The covered seating area will project a further 1.9 metres so the overall rear projection will be 6.2 metres. The extension will have a flat roof with an overall height of 2.8 metres and a roof lantern with an overall height of 3.2 metres. The extension has been designed to include bi-folding on the rear	

elevation and two windows on the side elevation facing the garden and south-east boundary. It will also include a blank elevation on the side elevation facing the garage.

The garage works include the demolition of an existing garage and the erection of a larger garage that will be 8 metres in width and 11 metres in depth. It has been designed with a pitch roof extending up to an overall height of 5.4 metres with an eaves height of 2.2 metres. The front elevation will include two garage doors and the rear elevation will include an access door to the utility and a window. The side elevation facing the existing bungalow will include a WC window and the side elevation facing the boundary will be blank.

The extension and garage will be finished externally with render, natural slate roof tiles and UPVC windows and doors to match the existing dwelling.

### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for a rear extension and detached garage (ref: 4/20/2241/0F1).

### **CONSULTATION RESPONSES**

#### Distington Parish Council

No objection.

#### Highway Authority

No objections.

#### Lead Local Flood Authority

No objections.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 7 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

Policy DM22 – Accessible Developments

**Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

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 proposed 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 within Distington and it will provide a rear extension and replacement detached garage. 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 proposed garage floor area is slightly larger than that previous approved, although the scale is considered suitable for the proposed use as a garage, utility and gym area. In addition, the proposed rear extension is modest in scale and appropriately sited within the large garden. The garage will be

stepped back behind the principal elevation of the existing dwelling and therefore this will ensure it appears subservient in scale. The design respects the character and appearance of the existing property and it will not be excessively prominent within the street scene. In addition, the choice of materials match the existing dwelling.

On this basis, the proposal is considered to meet DM18(A) policy 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.

Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered. However, under current permitted development rights, an extension could project 3 metres from the rear elevation with an eaves height of 3 metres and an outbuilding with a dual pitched roof could be 4 metres in height without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. The projection and heights of the extension and garage are not significantly larger than what is possible under permitted development. On this basis, it is considered that the proposal will not cause significant harm to neighbouring amenity.

The overlooking issues from the side elevation windows on the rear extension will be mitigated by the mature planting and existing boundary treatment along the south-east boundary. In addition, the proposed window within the side elevation of the garage has been omitted to mitigate overlooking concerns towards Belle Vue Crescent. On this basis, due to the proposed siting within the large site and the amended garage design, this proposal is considered to be satisfactory and the proposal will not have a detrimental impact on the neighbouring amenity.

It is appropriate to attach a planning condition to ensure the garages use remains domestic in nature and that non-conforming uses are not introduced into the area.

On this basis, it is considered that the proposal will meet Policy DM18 and the NPPF guidance.

#### Highway Safety

Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The site access and off-street parking for two vehicles will remain unchanged and therefore it is considered the proposal will not have a detrimental effect on the existing highway conditions. The Highway Authority have raised no objection to the proposal as the existing driveway and the proposed garage will provide adequate off-street parking to meet the needs of the property.

On this basis, the proposal complies with Policy DM22 and standards set out in the Cumbria Development Design Guide.

	<p><u>Planning Balance and Conclusion</u></p> <p>The application seeks to amend the previously approved rear extension and detached garage (ref: 4/20/2241/0F1).</p> <p>The proposed extension and garage is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties or highway safety. To ensure the garage remains domestic in nature, a planning condition is proposed to control the use.</p> <p>Overall, this 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><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 shall be commenced 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>Site Location Plan, scale 1:1250, received 22<sup>nd</sup> September 2021;  Proposed Block Plan, scale 1:500, received 22<sup>nd</sup> September 2021;  Existing Floor Plan and Elevations, scale 1:50, drawing reference PE/1, received 22<sup>nd</sup> September 2021;  Proposed Floor Plans and Elevations, scale 1:50, drawing reference PE/2, received 22<sup>nd</sup> September 2021;  Proposed Elevations, scale 1:50, drawing reference PE/3A, received 22<sup>nd</sup> September 2021;  Revised Garage Floor Plan, scale 1:50, drawing reference PE/RP/1A, received 16<sup>th</sup> November 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>3. The garage must be used for the parking of private vehicles and the storage of domestic equipment only and for no commercial or business purposes whatsoever.</p> <p>Reason</p> <p>To ensure that non conforming uses are not introduced into the area.</p> <p><b>Informative</b></p> <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p> <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>
<b>Case Officer: C. Unsworth</b>	<b>Date : 16/11/2021</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 16/11/2021</b>
<b>Dedicated responses to:- N/A</b>	