

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2450/OF1
2.	<b>Proposed Development:</b>	ERECTION OF A "GRANNY FLAT" EXTENSION TO NORTH ELEVATION
3.	<b>Location:</b>	31 WASDALE ROAD, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, 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>SITE AND LOCATION</b>  <p>The application relates to 31 Wasdale Road, an end of terraced property located within an existing housing estate in Millom. The site benefits from a large garden and an existing outbuilding.</p> <b>PROPOSAL</b>  <p>Planning Permission is sought for the erection of a side extension to the north elevation to form a 'granny flat'. The extension will include an additional lounge, ground floor bedroom and a shower room.</p> <p>The annexe extension will project 6.95 metres from the side elevation of the dwelling and it will be 5.63 metres in depth. The design will include a pitched roof with an overall height of 4.4 metres and an eaves height of 2.5 metres. It will also include a window on the front elevation, a window on the</p>	

side elevation and two windows and an access door on the rear elevation. It will be finished with spar render, roof tiles and white UPVC windows and doors to match the existing property.

#### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission was previously granted for the erection of a detached garage (reference 4/93/0747/0).

#### **CONSULTATION RESPONSES**

##### Consultees

Millom Town Council – No objections.

##### Public Representation

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.

#### **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

Policy DM24 – Development Proposals and Flood Risk

##### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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 proposal are the principle of development, its scale and design, the potential impacts on residential amenity, highway safety and flood risk.

Principle of Development

The proposed application relates to a residential dwelling and it will provide an extension to the side of the existing dwelling to form a 'granny flat'. 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 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 relatively modest in scale and appropriately located within the side garden. The single-storey 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, adjacent to the boundary wall, 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 and this will reduce the impact of the development upon the overall street-scene and character of the area.

Overall, the proposal is considered to meet Policies DM10 and DM18 of the Local Plan.

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.

The main concerns with the proposal was the potential impact of the development on the neighbouring dwellings. Although no concerns were raised as a result of the neighbour consultation

process.

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. In addition, due to the orientation of the proposed extension to the north of the existing property, it is considered that the proposal will not cause a significant loss of light or dominance on the closest neighbouring property, no. 29 Wasdale Road. The existing boundary fence will also screen the development and mitigate potential overlooking issues.

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 not significantly larger 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 'granny flat' is not proposed to be used in any other capacity than as ancillary to the main dwelling. The whole site will be retained as one planning unit and the use of the proposed annexe can be controlled by means of a planning condition to ensure that it is only used as ancillary accommodation to the principal dwelling. This will help to minimise impacts on the amenities of the occupiers of surrounding dwellings.

On balance, it is considered that the proposal will have minimal impacts on neighbouring amenity and therefore it is considered to comply with Policy DM18 and the NPPF guidance.

#### Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.

The site plan highlighted the parking directly adjacent to the site and therefore it is considered that the parking area will provide adequate parking to serve the needs of the property. The site visit also confirmed the residential estate is characterised by parking courts adjacent to the terraced housing and therefore it is considered that the proposal will not have a material effect on the existing highway conditions.

On this basis, the proposal is considered to meet Policy DM22 and standards set out in the Cumbria Development Design Guide.

#### Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be accompanied by a Flood Risk Assessment (FRA). Policy DM24 seeks to protect developments against risks of flooding.

The application is accompanied by a Householder and Other Minor Extensions in Flood Zones 2 and 3 form as part of the site is located within flood zone 2. The extension will not be located within flood zone 2 and therefore it is considered that the side extension would be an acceptable form of

	<p>development, based on the guidance set out in the NPPG.</p> <p>In addition, the floor level of the ground floor extension will be the same as the existing property and the development will not increase the drained surface water as the extension will replace a concreted and paved yard. The proposal is therefore not considered to increase flood risk within the site or elsewhere.</p> <p>On balance, the proposal is considered to be acceptable and it will comply with Policy DM24 and the NPPG guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect an extension to the side of the existing dwelling to form a 'granny flat'. The main issue with the proposal was the potential impact on the neighbouring dwellings. Although the extension will be ancillary to the main dwelling and the planning conditions proposed will control the use of the annexe accommodation and ensure the whole site will be retained as one planning unit.</p> <p>The proposal is considered to be of an appropriate scale and design and it will not have any detrimental impact on neighbouring amenity, highway safety or flood risk.</p> <p>On balance, subject to the imposition of the planning conditions proposed, the application is considered to be 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 1713 Sheet 1, received 12<sup>th</sup> October 2021;  Block Plan, scale 1:300, drawing reference 1713 Sheet 1, received 12<sup>th</sup> October 2021;  Existing and Proposed Elevations, scale 1:100, drawing reference 1713 Sheet 1, received 12<sup>th</sup> October 2021;</p> </li> </ol>

Existing and Proposed Floor Plans, scale 1:50, drawing reference 1713 Sheet 2, received 12<sup>th</sup> October 2021;  
Householder and other minor extensions in Flood Zones 2 and 3 Form, received 12<sup>th</sup> October 2021.

**Reason**

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.

3. The flood resilience and mitigation measures must be implemented as part of the development hereby permitted in accordance with the details set out in the 'Householder and Other Minor Extensions in Flood Zones 2 and 3 Form' received by the Local Planning Authority on 12<sup>th</sup> October 2021. The flood resilience and mitigation measures must be maintained thereafter.

**Reason**

To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.

4. The annexe hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 31 Wasdale Road and must not be let or sold as a separate permanent dwelling.

**Reason**

The annexe is not considered appropriate for use as a separate residential unit.

**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.

<b>Case Officer: C. Unsworth</b>	<b>Date : 06/12/2021</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 07/12/2021</b>
<b>Dedicated responses to:-N/A</b>	