

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2467/OF1
2.	Proposed Development:	REAR AND SIDE SINGLE STOREY EXTENSION TO PROVIDE ADDITIONAL KITCHEN SPACE, A SHOWER ROOM AND A UTILITY BAR/LOBBY
3.	Location:	157 BOWTHORN ROAD, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
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: LOCATION This application relates to 157 Bowthorn Road, an end of terraced property located within Cleator Moor. The site benefits from an existing outbuilding and a small rear yard. PROPOSAL Planning Permission is sought for the erection of a single-storey rear extension to provide an enlarged kitchen, a ground floor shower room and a utility room. The extension will wrap-around the rear elevation with an overall width of 4.4 metres and an overall depth of 3.8 metres. It has been designed to include a flat roof, with an overall height of 2 metres. The design includes an access door on the front elevation facing the rear yard and the side elevation along the boundary will include a bathroom window. The rear and side elevation facing the adjoined neighbour will be blank and it will also be lit by two roof lanterns. The extension will be finished with render, a flat rubber	

membrane and UPVC windows and doors to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Cleator Moor Town Council – No objection.

Cumbria County Council Rights of Way Officer – No comments received.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 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

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, the potential impacts on residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within Cleator Moor and it will provide an enlarged kitchen, ground floor shower room and utility 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 single-storey extension will be appropriately located to the rear of the property, behind the main element of the existing dwelling. This will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality.

Additional justification was provided for the proposed scale as the extension will exceed Policy DM18(D) requirements which seeks to limit the scale of development so that it does not exceed over 50% of the undeveloped curtilage. Due to the small rear terraced yard and the requirement for additional living space, the scale is considered to be acceptable and it will not be overbearing for the neighbouring properties.

The design is considered to be suitable for its use and 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 Policy 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 both the parent property and adjacent dwellings.

Overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, although the extension will be relatively modest in scale and the flat roofed design will reduce potential overshadowing issues. In addition, the only proposed side elevation window will be obscure glazed as it relates to the ground floor shower room and therefore

	<p>overlooking concerns are mitigated.</p> <p>Under current permitted development rights, an extension could project 3 metres from the rear elevation and it could develop up to 50% of the total undeveloped curtilage, without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the proposal is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the proposal will not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, 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.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed extension 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <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> <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 ref 309-01002-01, received 25th October 2021; Block Plan, scale 1:200, drawing ref 309-01003-01, received 25th October 2021; Existing Floor Plan, scale 1:50, drawing ref 309-01001-01, received 25th October 2021; Proposed Floor Plan, scale 1:50, drawing ref 309-04001-01, received 25th October 2021; Existing Elevations, scale 1:50, drawing ref 309-02001-01, received 25th October 2021; Proposed Elevations, scale 1:50, drawing ref 309-05001-01, received 25th October 2021.</p> <p>Reason</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.

Informative

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.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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 : 15/12/2021

Authorising Officer: N.J. Hayhurst

Date : 20/12/2021

Dedicated responses to:- N/A