

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2499/0B1
2.	Proposed Development:	NON MATERIAL AMENDMENT TO AMENDMENT OF CONDITIONS 2 (PLANS) AND 4 (LANDSCAPING DETAILS) & REMOVAL OF CONDITION 3 OF PLANNING APPROVAL 4/20/2489/0R1 FOR DETACHED DWELLING
3.	Location:	PLOT 2, LAND AT GILGARRAN PARK, GILGARRAN
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	SITE AND LOCATION This application relates to Plot 2 situated on the land at Gilgarran Park, Gilgarran. The site has agricultural fields to the north and south, residential dwellings to the east and the road to Distington to the west. It is accessed directly from the road leading through Gilgarran. The land was subject to an outline approval, approved in 2018 (application reference 4/18/2177/0O1 relates). This was followed by an application for the approval of reserved matters in January 2021 (application reference 4/20/2489/0R1 relates). An amendment of

conditions 2 (plans) and 4 (landscaping details) and removal of condition 3 was submitted and approved in March 2022 (application reference 4/21/2499/0B1 relates).

PROPOSAL

This application is for a non-material amendment to the reserved matters application to reduce the scale of the window on the ground floor, front elevation.

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)

Development Plan

Copeland Local Plan 2013-2028 (Adopted December 2013)

Policy ST1 – Strategic Development Principles

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Other Material Planning Considerations

National Planning Policy 2021 (NPPF)

Emerging Copeland Local Plan (ELP).

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been submitted for examination by the Planning Inspector.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an



Cumberland Council

indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF. The policies relevant to this proposal are:

- Strategic Policy DS1PU - Presumption in favour of Sustainable Development
- Policy DS6PU - Design and Development Standards

ASSESSMENT

The non-material amendment seeks a minor alteration to the approved planning application. The reduction in the scale of the window by 205cm on the front elevation has been requested by the Applicant in order to ensure the structural stability of the front elevation with steel reinforcement.

Whilst concerns were raised with the Applicant regarding the appearance of the front elevation and its symmetry, the Applicant justified the proposal on the basis that it was a requirement for the overall structure. As the permitted development rights would allow for this reduction once the dwelling is complete without the need for planning permission, it is considered that there are no planning reasons to refuse the application and that the change is minor and unlikely to change the overall effect of the design.

All other details of the property will stay the same.

Overall, following the receipt of amended plans, this is considered to be an acceptable form of development which accords with the guidance set out in the NPPF and the adopted Local Plan.

8. **Recommendation:**
Approve Non Material Amendment

Case Officer: Sarah Papaleo

Date : 05/04/2023

Authorising Officer: N.J.Hayhurst

Date : 05/04/2023

Dedicated responses to:- N/A