

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

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| 1. | Reference No: | 4/22/2027/OF1 |
| 2. | Proposed Development: | PROPOSED CHANGE OF USE GARAGE TO KITCHEN INVOLVING A SINGLE STOREY EXTENSION TO THE FRONT OF THE DWELLING & NEW PITCHED ROOF TO ACCOMMODATE THE NEW KITCHEN |
| 3. | Location: | 8 THE CHESTNUTS, DISTINGTON |
| 4. | Parish: | Distington |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Cycliffe 3KM |
| 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: SITE AND LOCATION This application relates to 8 The Chestnuts, a semi-detached property located on an existing housing estate within Distington. PROPOSAL Planning Permission is sought to erect a single-storey extension on the front of the property to match the existing principal elevation. The overall structure will be 2.6 metres in depth and 4 metres in width. It will have a lean-to roof with an overall height of 4 metres and an eaves height of 2.4 metres to reflect other front extensions along the street. It has been designed to include a window and access door on the front elevation and a window on the side elevation. It will be finished in render, | |

roof tiles and UPVC windows and doors to match the existing property and it will also be lit by two skylights.

The proposal also includes an extension to the driveway to provide two off-street parking spaces. The driveway will measure 4.5 metres in width and it will require a widened dropped kerb.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this site.

CONSULTATION RESPONSES

Distington Parish Council

No objections.

Highway Authority and Lead Local Flood Authority

Initial Comments:

The proposal to convert the garage will result in a loss of off-street parking for this property. We would therefore ask that adequate parking is shown on a plan, in line with the Highway Authority's requirements.

We would not be able to support this application should there not be sufficient off-street parking.

Final Comments:

As the proposal intends to widen the existing driveway, the applicant should ensure if the wall is re-built it should not exceed the current height.

No objections, subject to the following conditions being included:

- Bound driveway material;
- Boundary fence height.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 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 proposal are the principle of development, its scale and design, the impacts on residential amenity and highway safety.

Principle of Development

The proposed application relates to a residential dwelling within Distington and it will provide an enlarged kitchen, utility and WC. 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 safeguard good levels of quality and attractiveness. 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 sited within front garden. The lean-to roof design will reflect other extensions within the street-scene. In addition, the choice of materials will match the existing dwelling and therefore the extension will not be excessively prominent within the locality. The proposal is not considered to be overbearing on the neighbouring properties and the design will respect the character and appearance of the existing property.

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 the parent property or adjacent dwellings.

The proposed extension will have little impact on the residential amenity due to its modest scale and siting. Overlooking issues were considered due to the addition of a window on the side elevation, however, the window is not considered to be materially different to the existing windows on the side elevation of the porch. In addition, overshadowing will be minimal due to the proposal being stepped away from the boundary.

On this basis, there will be little impact on amenity of occupiers of the adjacent properties and the proposal is considered to comply with Policy DM18(C).

Highway Safety

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

Concerns were originally raised by the Highway Authority regarding the loss of off-street parking as the proposed extension will change the use of the garage and it will be located to the front of the property. The proposal was therefore amended to include an extension of the driveway and the Highway Authority advised they had no objections to the proposed development. It is therefore appropriate to attach a condition to ensure the driveway is installed in accordance with the approved plan.

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

Planning Balance and Conclusion

The proposed extension is of an appropriate scale and design and will not have any detrimental

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| | impact on the amenities of the adjoining properties or highway safety. 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. |
| 8. | Recommendation: Approve (commence within 3 years) |
| 9. | Conditions: <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>Application Form, received 17th January 2022; Location Plan, scale 1:1250, drawing no. 324-01002-Rev 1, received 17th January 2022; Block Plan, scale 1:200, drawing no. 324-01003-Rev 1, received 17th January 2022; Existing Ground Floor Plan, scale 1:50, drawing no. 324-01001-Rev 1, received 17th January 2022; Proposed Ground Floor Plan, scale 1:50, drawing no. 324-04001-Rev 2, received 17th January 2022; Existing and Proposed Elevations, scale 1:100, drawing no. 324-02001-Rev 2, received 17th January 2022; Proposed Parking Layout, scale 1:100, received 3rd February 2022.</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> <p>Prior to the first use of the extension hereby approved the proposed driveway must be installed in accordance with the approved 'Proposed Parking Layout', scale 1:100, received by the Local Planning Authority on 3rd February 2022 and it must be maintained at all times thereafter.</p> <p>Reason</p> |

To ensure that adequate off-street parking is provided in accordance with Policy DM22 of the Copeland Local Plan.

4. The driveway must be surfaced in bituminous bound material in accordance with the details set out in approved 'Proposed Parking Layout', scale 1:100, received by the Local Planning Authority on 3rd February 2022, and it shall be constructed and completed before the development is first brought into use. The surfacing of the driveway shall be maintained in accordance with these details thereafter.

Reason

In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.

5. Prior to the first use of the extension and driveway hereby approved, any existing highway fence/wall boundary must be reduced to a height not exceeding 1.05 metres above the carriageway level of the adjacent highway and must not be raised to a height exceeding 1.05 metres thereafter.

Reason

In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.

Informative Notes

1. Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain a permit from the driveway access and dropped kerb.

Enquires should be made to Cumbria County Councils Streetwork's team
streetworks.west@cumbria.gov.uk

2. 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

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| | <p>Statement</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> |
| <p>Case Officer: C. Unsworth</p> | <p>Date : 09/03/2022</p> |
| <p>Authorising Officer: N.J. Hayhurst</p> | <p>Date : 09/03/2022</p> |
| <p>Dedicated responses to:- N/A</p> | |