

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2044/OF1
2.	<b>Proposed Development:</b>	SINGLE STOREY SIDE AND REAR WRAP AROUND EXTENSION - RESUBMISSION OF REVISED SCHEME FOR WITHDRAWN APPLICATION 4/21/2438/OF1
3.	<b>Location:</b>	51 KEIR HARDIE AVENUE, CLEATOR MOOR
4.	<b>Parish:</b>	Cleator Moor
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 51 Keir Hardie Avenue, a semi-detached property situated on an existing housing estate within Cleator Moor. The site benefits from an existing access and off-street parking to the front of the property.  <b>PROPOSAL</b>  Planning permission is sought for the erection of a single-storey wrap-around extension to the side and rear to provide an enlarged kitchen-dining room, two additional bedrooms and a ground floor bathroom.  The extension will project 3.256 metres from the side elevation and it will be 9.6 metres in depth. The side extension will include a lean-to roof with an overall height of 4 metres and an eaves height of 2.5 metres. The front elevation will include a window, the side elevation will include a small bathroom	

window and the rear elevation will include a window.

The proposal will also project 3 metres from the rear elevation with an overall width of 9.076 metres. It has been designed with a flat roof with a roof lantern and an overall height of 3 metres. The rear elevation will include a kitchen window and a bi-fold door and the side elevations will be blank.

The extension will be finished in smooth render, local roof slate, anthracite Ruberoid roof coating, white UPVC windows and anthracite aluminium bi-fold doors to match the existing property.

### **RELEVANT PLANNING APPLICATION HISTORY**

A previous planning application for a two-storey side extension and single-storey rear extension was withdrawn (ref: 4/21/2438/0F1).

### **CONSULTATION RESPONSES**

#### Cleator Moor Town Council

Noted no information regarding drainage.

#### Highway Authority

Requested adequate parking plan be provided, in accordance with the Highway Authority's requirements.

#### Lead Local Flood Authority

No objections.

#### Public Representation

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.

### **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

Policy ENV1 – Flood Risk and Risk Management

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)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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, drainage and flood risk.

Principle of Development

The proposed application relates to a residential dwelling located on an existing housing estate within Cleator Moor and it will provide an enlarged kitchen-dining room, two additional bedrooms and a ground floor bathroom. 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 sited to the side and rear

of the property. The lean-to roof design on the side elevation will reflect the character of the existing dwelling and other extensions within the locality. The proposal is therefore considered to be acceptable and it will not be excessively prominent in the street scene. In addition, the proposed materials will match the existing property and therefore the character and appearance of the existing dwelling will be maintained.

On this basis, the proposal is considered to meet Policies DM10 and DM18(A) 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 proposal will be appropriately located in the side and rear garden, to the north and west of the existing property. The extension will also be stepped back from the side boundary to provide access to the rear garden. On this basis, due to orientation of the proposal and the modest design, it is considered that the extension will not cause significant overshadowing or overlooking to the neighbouring properties. In addition, the existing boundary treatments will help screen the development and mitigate potential harm.

In addition, under current permitted development rights, a rear extension could project 3 metres from the rear elevation and a side extension could project up to half the width of the original dwelling, with an eaves height of 3 metres and 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 wrap-around extension is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory.

On this basis, the proposal will have little impact on the residential amenity and it is considered to comply with Policies DM18(B), DM18(C) 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.

Additional off-street parking has been provided on the Proposed Block Plan to ensure the proposal will not have a detrimental effect on the existing highway conditions. This can be secured by the use of a planning condition to ensure adequate off-street parking to meet the needs of the property is provided and maintained thereafter.

The applicant might be required to apply for a permit from the Cumbria County Council Streetworks department to alter the driveway access and dropped kerb. It is therefore appropriate to include these details as an informative note.

On this basis, the Highway Authority raised no objections to the proposal and it is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.

#### Drainage and Flood Risk

	<p>Policy ENV1 and DM24 seeks to protect developments against risks of flooding and ensure that new developments do not contribute to increased surface water run-off.</p> <p>The proposal will not significantly increase the surface water run-off and therefore the proposal will not increase flood risk on the site or elsewhere.</p> <p>The Town Council noted the application does not include any drainage details, although as this is a householder planning application, the drainage is covered by the Building Regulations process.</p> <p>On this basis, the proposal is considered to comply with Policy ENV1 and DM24.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed extension is of an appropriate scale and design and would not have any detrimental impact on the amenities of the adjoining properties, highway safety or drainage and flood risk. Overall, the proposal 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><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>Application Form, received 26<sup>th</sup> January 2022;  Location Plan, scale 1:500, drawing reference DWG03 Rev A, received 26<sup>th</sup> January 2022;  Proposed Block Plan, scale 1:200, drawing reference DWG06, received 7<sup>th</sup> April 2022;  Existing Floor Plans, scale 1:50, drawing reference DWG01, received 26<sup>th</sup> January 2022.  Proposed Ground Floor Plan, scale 1:50, drawing reference DWG03 Rev A, received 26<sup>th</sup> January 2022.  Proposed First Floor Plan, scale 1:50, drawing reference DWG04 Rev A, received 26<sup>th</sup> January 2022.  Existing Elevations, scale 1:100, drawing reference DWG02, received 26<sup>th</sup> January 2022.  Proposed Elevations, scale 1:100, drawing reference DWG05 Rev A, received 26<sup>th</sup> January 2022.</p> </li> </ol>

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. Prior to the first use of the extension hereby permitted, the proposed off-street parking must be installed in accordance with the details set out in the approved Proposed Block Plan, drawing reference DWG06, received by the Local Planning Authority on 7<sup>th</sup> April 2022. The driveway must be maintained at all times thereafter.

Reason

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

**Informatives**

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

Enquires should be made to Cumbria County Councils Streetwork's team  
[streetworks.west@cumbria.gov.uk](mailto: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](http://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.

<b>Case Officer: C. Unsworth</b>	<b>Date : 14/04/2022</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 14/04/2022</b>
<b>Dedicated responses to:- N/A</b>	