

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

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| 1. | <b>Reference No:</b>                          | 4/22/2045/OF1  |
| 2. | <b>Proposed Development:</b>                  | THE CONSTRUCTION OF A NEW FRONT PORCH WITH OAK POSTS, NEW BALCONY WITH EXTERNAL STAIRCASE SUPPORTED OFF BRICKWORK COLUMNS, AND INTERNAL AND EXTERNAL ALTERATIONS TO AN EXISTING DWELLING   |
| 3. | <b>Location:</b>                              | FAIRBANK, BUTLER STREET, MILLOM  |
| 4. | <b>Parish:</b>                                | Millom   |
| 5. | <b>Constraints:</b>                           | ASC;Adverts - ASC;Adverts,<br>Coal - Off Coalfield - Data Subject To Change,<br>Key Species - Potential areas for Natterjack Toads   |
| 6. | <b>Publicity Representations &amp; Policy</b> | Neighbour Notification Letter: YES<br><br>Site Notice: NO<br><br>Press Notice: NO<br><br>Consultation Responses: See report<br><br>Relevant Planning Policies: See report  |
| 7. | <b>Report:</b>                                | <p><b>SITE AND LOCATION</b></p> <p>This application relates to Fairbank, a detached property situated on Butler Street within Millom. The site is spread across several levels, sloping down towards the rear of the site and it benefits from an existing small rear extension and balcony.</p> <p><b>PROPOSAL</b></p> <p>Planning permission is sought for the erection of a new rear balcony with external staircase supported off brickwork columns, an open front porch with oak posts and internal and external alterations to the existing dwelling. The works will provide an enlarged rear balcony, an additional bedroom, an enlarged kitchen-dining room, an enlarged hallway and a new utility room and external</p> |

store.

The balcony will project 2.6 metres from the rear elevation and the width will match the existing property. It has been designed to include a flat roof with an overall height of 2.7 metres to accommodate the balcony. The balcony proposal also includes a 1.8 metre high opaque glazed screen on the two side elevations and a 1 metre high glazed balustrade along the rear elevation.

The front porch will project 0.8 metres from the front elevation and it will be 2 metres in width. It has been designed to include a pitched roof with an overall height of 3.5 metres and it will have an open design with two oak posts.

The proposal will be finished in smooth render painted white to the lower level with timber cladding above to upper level. The roof will be finished with roof tiles to match the existing and the windows and doors will all be replaced with black UPVC/aluminium.

The proposal also includes landscaping with additional off-street parking. The landscaping works include new stone retaining walls and external stairs to suit site levels and new hedges to match the existing. Three off-street parking spaces will be created with a new asphalt driveway, permeable paving to a mid level patio and an upper level walkway around the building.

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

Planning Permission has previously been granted for a single storey side and rear extension, with a balcony above and a new front porch with internal and external alterations, plus landscaping works (ref 4/21/2417/0F1).

#### **CONSULTATION RESPONSES**

##### Millom Town Council

No objections.

##### Public Representation

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.

#### **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 potential impacts on residential amenity and highway safety.

### Principle of Development

The proposed application relates to a residential dwelling within Millom and it will provide an additional bedroom, an enlarged kitchen-dining room, an enlarged hallway and a new utility room and external store. 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 of the Local Plan 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 extensions will be appropriately located to the front and rear of the property and are

considered to be relatively modest in scale. The rear balcony will be located behind the main element of the existing dwelling and this will ensure that the proposal appears subservient to the main dwelling. It will not be excessively prominent within the locality and the proposal will not be overbearing for the neighbouring properties. The design is considered to be suitable for its use. In addition, 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 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.

Overlooking and overshadowing concerns were considered, especially given the height of the proposed platform above ground level, although the proposal is considered to be appropriately located within the garden. The rear balcony will be set back from the boundary by approximately 7 metres to reduce overshadowing concerns and the design includes obscure glazed 1.8 metre high screening walls on both side elevations of the raised platform. The installation and maintenance of the 1.8 metre high screening walls can be secured by a condition and therefore the design is considered to mitigate overlooking concerns to the side and there are no neighbours directly behind the rear elevation.

In addition, the existing overlooking from the small balcony without screening walls on the side elevation must be taken into account. On this basis, due to the separation distances and the measures to mitigate overlooking issues, it is considered that the proposal will improve the current situation and therefore overall the proposal will not cause an unacceptable level of overlooking or loss of privacy.

Overshadowing issues were also considered, although due to the siting of the front porch and the relationship to the neighbouring properties and existing boundary treatments, it is not considered that the proposal will be significantly overbearing or cause harmful overshadowing or loss of light.

On this basis, the proposal is considered to comply with Policies DM18(B) and DM18(C).

#### Highway Safety

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

The proposal includes the creation of three additional off-street parking space to the side of the property. This will ensure adequate off-street parking to meet the needs of the dwelling is provided and it is therefore considered that the proposal will not affect the highway conditions. This parking provision can be secured through a condition to ensure the driveway is installed prior to the first use of the extension.

On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design

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|    | <p>Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect a new balcony with external staircase supported off brickwork columns, a new open front porch with oak posts and internal and external alterations to the existing dwelling. The main issues raised by the application were the potential amenity issues from the raised balcony.</p> <p>The proposal is considered to be acceptable in terms of scale and design and it will not cause unacceptable harm to neighbouring amenity, as the plans include obscure glazed 1.8 metre high screening walls on the side elevations of the raised platform.</p> <p>The creation of additional off-street parking will also ensure parking standards are maintained.</p> <p>The planning conditions proposed will secure and control the screening wall and off-street parking installation.</p> <p>On this basis, subject to the imposition of the planning conditions, 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><br/>Approve (commence within 3 years)</p>  |
| 9. | <p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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> <ol style="list-style-type: none"> <li>2. 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: -</li> </ol> <p>Application Form, received 3<sup>rd</sup> February 2022;<br/> Location Plan, scale 1:1250, drawing ref 21-42-P-L, received 3<sup>rd</sup> February 2022;<br/> Block Plan, scale 1:500, drawing ref 21-42-P-L, received 3<sup>rd</sup> February 2022;<br/> Proposed Site Plan, scale 1:200, drawing ref 21-42-P-01B, received 3<sup>rd</sup> February 2022;<br/> Existing Floor Plans, scale 1:100, drawing ref 21-42-P-02, received 3<sup>rd</sup> February 2022;<br/> Existing Elevations, scale 1:100, drawing ref drawing ref 21-42-P-03, received 3<sup>rd</sup> February 2022;</p> |

Existing 3D Sketches, drawing ref 21-42-P-04, received 3<sup>rd</sup> February 2022;  
Proposed Floor Plans, scale 1:100, drawing ref 21-42-P-05B, received 3<sup>rd</sup> February 2022;  
Proposed Roof Plan, scale 1:100, 21-42-P-06B, received 3<sup>rd</sup> February 2022;  
Proposed Elevations, scale 1:100, drawing ref 21-42-P-07C, received 3<sup>rd</sup> February 2022;  
Proposed 3D Sketches, drawing ref 21-42-P-08C, received 3<sup>rd</sup> February 2022;  
Flood Map, received 3<sup>rd</sup> February 2022.

**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 occupation of the extension hereby approved, a 1.8 metre high opaque glazed screening wall must be installed on the two side elevations of the balcony, in accordance with the approved plan 'Proposed Elevations', drawing reference 21-42-P-07C, received by the Local Planning Authority on the 3<sup>rd</sup> February 2022. These screens must be permanently maintained at all times thereafter.

**Reason**

To safeguard the amenity of nearby residents in respect of overlooking and loss of privacy in accordance with Policies ST1, DM10 and DM18 of the Copeland Local Plan.

4. Prior to the first use of the extension hereby approved, the proposed driveway must be installed in accordance with the approved 'Proposed Site Plan', drawing ref 21-42-P-01B, received by the Local Planning Authority on 3<sup>rd</sup> February 2022. The driveway must be maintained thereafter.

**Reason**

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

**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.

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| <b>Case Officer: C. Unsworth</b>          | <b>Date : 23/03/2022</b> |
| <b>Authorising Officer: N.J. Hayhurst</b> | <b>Date : 23/03/2022</b> |
| <b>Dedicated responses to:- N/A</b>       |                          |