

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2050/OF1
2.	<b>Proposed Development:</b>	SINGLE STOREY SIDE AND REAR EXTENSION TO AN EXISTING DWELLING
3.	<b>Location:</b>	RIVENDELL, POOLSIDE, HAVERIGG
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
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>  <p>This application relates to Rivendell, a detached property located within Poolside, Haverigg. The site benefits from an existing access and off-street parking to the front of the property and a large rear garden.</p>  <b>PROPOSAL</b>  <p>Planning permission is sought for the erection of a single-storey extension to the side and rear to provide a garage/store/workshop and a games room.</p> <p>The extension will project 3 metres from the side elevation and it will be 13.45 metres in depth. The side extension will include a lean-to roof with an overall height of 3.721 metres and an eaves height</p>	

of 2.4 metres. The front elevation will include a garage door and the side elevation will be blank.

The proposal will also project 4 metres from the rear elevation with an overall width of 5.4 metres. It will include a pitched roof with an overall height of 4.03 metres and an eaves height to match the existing rear extension. The rear elevation will include bi-fold doors and it will be lit by 2 skylights.

The extension will be finished in render, facing brickwork and timber cladding, concrete roof tiles and bi-fold doors to match the existing property and a metal up and over garage door.

### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for a single-storey kitchen-diner extension to the rear elevation (replacing the previous conservatory) (ref 4/14/2009/OF1).

### **CONSULTATION RESPONSES**

#### Millom Town Council

No objections.

#### Highway Authority

No objections.

#### Lead Local Flood Authority

No objections.

#### Environment Agency

No comments received.

#### Flood Engineer

Initial Comments:

- Given that the only realistic option for surface water disposal for the extension is to the combined sewer, I am objecting to the proposed development.
- However, should it be demonstrated that surface water can be disposed of, without increasing flood risk from the combined sewer, I would remove my objection.

Amended comments following an revised proposal with a soakaway:

- If the surface water can be disposed of by means of a soakaway compliant with Building Regulations, then I would have no objection to the proposed development.
- The suggestion is that that percolation is conditioned.
- However, should the percolation testing demonstrate that a soakaway is not feasible, then realistically discharge to combined sewer would be the only option to which I would object to

at this time.

#### Public Representation

The application has been advertised by way of neighbour notification letters issued to 2 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

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 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, highway safety and drainage and flood risk.

#### Principle of Development

The proposed application relates to a residential dwelling within Haverigg and it will provide a garage/store/workshop and a games room. 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 continuation of the extension design on the rear elevation will reflect the character of the existing dwelling and the lean-to roof design on the side elevation is typical of other extensions within the wider street-scene and area. The design 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.

On this basis, the proposal is considered to meet Policies DM10 and DM18(A).

#### 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 of the existing property. The scale is appropriate for the use and it will not appear overbearing or dominant within the street-scene or on neighbouring amenity. Due to the existing orientation of the dwelling, the proposed extension is not considered to cause significant overshadowing and the proposed side elevation will be blank, which mitigates overlooking concerns.

In addition, under current permitted development rights, a rear extension could project 4 metres from the rear elevation and a side extension could project up to half the width of the original dwelling, approximately 4 metres in this case, 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 and it will not cause unacceptable overshadowing or loss of light.

No concerns have been received as part of the neighbour consultation, although it is appropriate to attach a planning condition to ensure the garage/store/workshop use remains domestic in nature and that non-conforming uses are not introduced into the area.

On this basis, the proposal will not have a significant detrimental impact on the residential amenity and therefore 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.

The site access and off-street parking will remain unchanged to the front of the property and therefore it is considered the proposal will not have a detrimental effect on the existing highway conditions. The proposal will not create any additional bedrooms and therefore it is considered that the existing driveway provides adequate off-street parking to meet the needs of the property.

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

#### Drainage and Flood Risk

The NPPF and Policy DM24 requires proposed developments in Flood Zones 2 and 3 to be accompanied by a Flood Risk Assessment (FRA). Policy DM24 seeks to protect developments against risks of flooding.

The site is located within flood zone 2 and 3 and therefore the Flood Engineer raised concerns due to the potential increase of surface water disposal to the combined sewer. The Flood Engineer noted that should it be demonstrated that surface water can be disposed of, without increasing flood risk from the combined sewer, he would remove the objection.

As a result, the agent provided an amended site plan with new soakaways proposed to the front and rear of the property. The proposal also includes new threshold drains to the existing driveway to prevent the surface water running into the highway.

To satisfy the concerns, the agent has agreed to the use of a pre-commencement condition to provide the full surface water drainage details including percolation details, once known.

In addition, the existing dwelling has a finished floor level approximately 600mm from the external ground level and the proposed games room will match this raised level. On this basis, the flood resilience measures within the Flood Risk Assessment are considered to be appropriate to reduce flood risk and damage and this can be secured by the use of a planning condition.

On balance, the proposal is considered to be acceptable and therefore it will comply with Policy DM24 and the NPPG guidance.

#### Planning Balance and Conclusion

The proposed wrap-around 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 flood risk. 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.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li data-bbox="183 394 1498 714"> <p>1. 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 data-bbox="183 743 1498 1465"> <p>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: -</p> <p>Application Form, received 2<sup>nd</sup> February 2022;  Location Plan, scale 1:1250, drawing 21-54-P-L, received 2<sup>nd</sup> February 2022;  Block Plan, scale 1:500, drawing 21-54-P-L, received 2<sup>nd</sup> February 2022;  Proposed Site Plan, scale 1:200, drawing 21-54-P-01A, received 24<sup>th</sup> February 2022;  Existing Floor Plan, scale 1:100, drawing 21-54-P-02, received 2<sup>nd</sup> February 2022;  Proposed Floor Plan, scale 1:100, drawing 21-54-P-04, received 2<sup>nd</sup> February 2022;  Existing Elevations, scale 1:100, drawing 21-54-P-03, received 2<sup>nd</sup> February 2022;  Proposed Elevations, scale 1:100, drawing 21-54-P-05, received 2<sup>nd</sup> February 2022;  Flood Risk Assessment – Brief Statement, received 2<sup>nd</sup> February 2022;  Flood Map for Planning, received 2<sup>nd</sup> 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> </li> <li data-bbox="183 1516 1498 1820"> <p>3. Before development commences, full details of the surface water drainage scheme to serve the development, including attenuation measures, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and must be maintained thereafter.</p> <p>Reason</p> <p>To ensure suitable surface water drainage is provided in accordance with Policy DM24 of the</p> </li> </ol>

	<p>Copeland Local Plan.</p> <p>4. Before the extension is occupied, the flood resilience and mitigation measures must be carried out in accordance with the Flood Risk Assessment received by the Local Planning Authority on 2<sup>nd</sup> February 2022 and the Site Plan received by the Local Planning Authority on 24<sup>th</sup> February 2022. The flood resilience and mitigation measures must be maintained thereafter.</p> <p>Reason</p> <p>To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.</p> <p>5. The garage/store/workshop must be used for the parking of private vehicles and the storage of domestic equipment only and for no commercial or business purposes whatsoever.</p> <p>Reason</p> <p>To ensure that non-conforming uses are not introduced into the area.</p> <p><b>Statement</b></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>	
<b>Case Officer: C. Unsworth</b>		<b>Date : 29/03/2022</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 30/03/2022</b>
<b>Dedicated responses to:- N/A</b>		