

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2073/OF1
2.	<b>Proposed Development:</b>	ERECT GROUND FLOOR EXTENSION TO THE REAR
3.	<b>Location:</b>	130 DEVONSHIRE ROAD, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Known Sites 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>LOCATION</b>  <p>This application relates to 130 Devonshire Road, a detached property located within Millom. The application site benefits from an existing driveway to the side of the property and a large rear garden. The site also lies adjacent to Flood Zone 2.</p>  <b>PROPOSAL</b>  <p>Planning Permission is sought for the erection of a single-storey rear extension to provide an enlarged kitchen-dining room and utility room. The extension will project 2.72 metres from the rear elevation and it will have a width of 4.75 metres. It has been designed to include a lean-to roof with an overall height of 3.6 metres and an eaves height of 2.5 metres.</p> <p>The design includes a patio door on the rear elevation and the side elevations will be blank. It will also</p>	

be lit by 2 skylights and it will be finished with white spar render, flat grey cement roof tiles and white UPVC windows and doors to match the existing property.

### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the erection of a porch/boot room on the front elevation of the house (ref: 4/10/2137/0F1).

### **CONSULTATION RESPONSES**

#### Millom Town Council

No objections.

#### Public Representations

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 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 DM24 – Development Proposals and Flood Risk

#### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

#### 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 or flood risk.

### Principle of Development

The proposed application relates to a residential dwelling within Millom and it will provide an enlarged kitchen-dining room and utility room. 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 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 appropriately located to the rear of the property, behind the main element of the existing dwelling and it will be modest in scale. This will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. It will not be overbearing for the neighbouring properties and 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 Policy DM18 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 both the parent property and adjacent dwellings.

Whilst potential overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered the extension will be modest in scale and the proposed side elevation will be blank. In addition, the lean-to roof design will reduce potential overshadowing issues and the existing boundary fence will suitably screen the development.

In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation without the requirement for formal planning permission. This fall-back position is a

	<p>material consideration in the assessment of this application. As the projection is not larger than what is possible under permitted development, this proposal is considered to be satisfactory and therefore the proposal will not have a detrimental impact on the neighbouring amenity.</p> <p>On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to meet Policy DM18 and the NPPF guidance.</p> <p><u>Flood Risk</u></p> <p>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.</p> <p>The site lies adjacent to Flood Zone 2 and the application is accompanied by a Householder and Other Minor Extensions in Flood Zones 2 and 3 form. The floor levels will match the existing dwelling and due to the modest scale, the extension will not increase the impermeable surface. It is therefore considered that the rear extension is an acceptable form of development and it will not increase flood risk within the site or elsewhere.</p> <p>On this basis, it is considered that the proposal will comply Policy DM24 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed rear extension is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties 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.</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>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 17<sup>th</sup> February 2022; Location Plan, scale 1:1250, reference 1742, received 17<sup>th</sup> February 2022;</p>

	<p>Block Plan, scale 1:500, reference 1742, received 17<sup>th</sup> February 2022;  Existing and Proposed Floor Plans, scale 1:50, reference 1742, received 17<sup>th</sup> February 2022;  Proposed Elevations, scale 1:100, reference 1742, received 17<sup>th</sup> February 2022;  Proposed Section AA, scale 1:50, reference 1742, received 17<sup>th</sup> February 2022;  Householder and other minor extensions in Flood Zones 2 and 3 Form, received 17<sup>th</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> <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 : 11/04/2022</b>	
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 11/04/2022</b>	
<b>Dedicated responses to:- N/A</b>		