

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2107/OF1	
2.	Proposed Development:	REPLACEMENT OF EXISTING GARAGE WITH TWO STOREY EXTENSION TO FORM ANNEXE ACCOMMODATION	
3.	Location:	4 HIGHFIELD CLOSE, SEASCALE	
4.	Parish:	Seascale	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location This application relates to 4 Highfield Close, a large detached property located within a cul-de-sac of 12 properties within a residential area to the north of Seascale. Relevant Planning History. No planning history.		

Proposal

This application seeks planning permission to replace the existing attached flat roofed garage with a two storey extension to form annexe accommodation. The proposed extension will be located upon the footprint of the existing garage, measuring 6.7m x 5.6m with an eaves height of 4.7m and an overall height of 6.8m. The development will be set back 1.2m from the principal elevation of the dwelling and 0.5m from the rear elevation.

Internally the development will create a family games room within the ground floor, and a family study/work area, bathroom and store within the first floor. Externally the development will be finished with render, roof tiles and white UPVC windows and doors to match the existing dwelling.

Consultation Responses

Seascale Parish Council

No objections.

Cumbria County Council – Cumbria Highways & LLFA

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

Public Representation

This application has been advertised by way of neighbour notification letters issued to four properties. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that 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 – Strategic Development Principles

ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (2021)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended on 30 November 2020. 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 main issues raised by this application relate to the principle of the development; scale, design and impact on amenity; parking/highway issues; and ecology.

Principle of Development

The proposed application relates to a residential dwelling within Seascale and will provide additional living space for the residents. 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, Design and Impact on Amenity

Policy ST1 and section 12 of the NPPF seek to safeguard good levels of residential amenity. Policy DM18 seeks 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.

As part of this application process extensive discussions have been undertaken with the agent for this application due to concerns with the overall scale and design of the proposed annexe extension. Based on these concerns the agent has provided clarification on the proposed use of the extension and has confirmed that this will just be used for additional living space for the occupants of the main dwelling. The agent has also confirmed that the overall projection of the development cannot be reduced as the applicant wishes to minimise the costs of the works by using the existing substructure of the garage and retaining the boiler in its current location. Following these discussions however amendments to the internal layout and external appearance of the proposed extension have been secured to ensure the development is better linked to the main dwelling and reflects the overall character of the property.

Although the extension is large in scale, the development is to be located upon the existing footprint of the attached flat roofed garage that is to be demolished as part of this proposal, and although it will have an additional storey the development will not project any closer to the adjacent property. The existing dwelling is large in scale, and due to the reduced height and set back of the extension the development is considered to be subservient to the main dwelling. Based on the amended plans for the development the proposal is considered to reflect the appearance and character of the main dwelling and reflects the overall streetscene as a number of dwellings in the area also benefit from large extensions. The property is also set within a large garden area, ensuring adequate separation distances can be retained at the site. On this basis the development is not considered to have an adverse impact on the adjoining neighbouring properties.

Whilst the agent has confirmed that the development will only be utilised for purposes ancillary to the main dwelling, and efforts have been made to ensure the development is internally linked to the main dwelling, an appropriately worded planning condition will be attached to any decision notice for this application to ensure the development will only be used as annexe accommodation and cannot be sold or let separately from the main property.

On this basis the development is considered to comply with the requirements of Policy DM18 of the Copeland Local Plan and the provisions of the NPPF.

Parking/Highways issues

Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

The annex accommodation will not include any additional bedrooms within this property and will not alter the large driveway to the front of the dwelling. As the parking within the site is retained and the

	<p>development will not produce the need for additional parking, the development is considered to be consistent with parking standards set out within the Cumbria Development Design Guide. No comments have been received on this application from Cumbria Highways.</p> <p>The proposal is therefore considered to comply with policies ENV1 and DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.</p> <p><u>Ecology</u></p> <p>Policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposal that are likely to have an effect on nature conservation sites, habitats and protected species.</p> <p>The application site is identified as a potential area for natterjack toads. The application is not supported by any ecology details as the site is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and is located within the centre of a built-up residential area. On this basis it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application. Furthermore the development will be located upon the footprint of an existing extension therefore will not result in any disturbance to the ground.</p> <p>It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.</p> <p><u>Planning Balance & Conclusion</u></p> <p>The proposed alterations are of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties. Although large in scale, the development reflects the parent property and the surrounding streetscene which contains similar scale developments. A condition will be placed on the decision notice to ensure the extension is used as ancillary annexe accommodation only.</p> <p>The development is not considered to have a detrimental impact on ecology given the location and nature of the surrounding area.</p> <p>The proposal 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>Recommendation:</p> <p>Approve (commence within 3 years)</p>

9. **Conditions:**

Standard Conditions:

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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:-
 - Location Plan (Amended), Scale 1:1250, Drwg No: 01002, Rev: 01, received by the Local Planning Authority on the 19th April 2022.
 - Block Plan (Amended), Scale 1:200, Drwg No: 01003, Rev: 04, received by the Local Planning Authority on the 25th April 2022.
 - Existing Elevations (Amended), Scale 1:100, Drwg No: 02001, Rev: 06, received by the Local Planning Authority on the 19th April 2022.
 - Existing Ground Floor Plan (Amended), Scale 1:50, Drwg No: 01001, Rev: 02, received by the Local Planning Authority on the 19th April 2022.
 - Existing First Floor Plan (Amended), Scale 1:50, Drwg No: 01004, Rev: 01, received by the Local Planning Authority on the 19th April 2022.
 - Typical Section (Amended), Scale 1:50, Drwg No: 06001, Rev: 03, received by the Local Planning Authority on the 19th April 2022.
 - Proposed Elevations (Amended), Scale 1:100, Drwg No: 05003, Rev: 01, received by the Local Planning Authority on the 19th April 2022.
 - Proposed Ground Floor Plan (Amended), Scale 1:50, Drwg No: 04001, Rev: 07, received by the Local Planning Authority on the 19th April 2022.
 - Proposed First Floor (Amended), Scale 1:50, Drwg No: 04002, Rev: 01, received by the Local Planning Authority on the 19th April 2022.

	<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><u>Other Conditions:</u></p> <p>3. The extension hereby permitted must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling, known as 4 Highfield Close, Seascale, must not be independently occupied let or sold as a separate permanent dwelling, or used for any business purposes whatsoever.</p> <p>Reason</p> <p>The annexe is not considered appropriate for use as a separate residential unit.</p> <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. Burns</p>	<p>Date : 23.05.2022</p>	
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 23.05.2022</p>	
<p>Dedicated responses to:- N/A</p>		