

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2113/OF1
2.	Proposed Development:	SINGLE STOREY REAR EXTENSION
3.	Location:	MURTON COTTAGE, LAMPLUGH
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: LOCATION This application relates to Murton Cottage, a semi-detached property located approximately 0.8 miles south-west of Lamplugh. The application site is accessed along an unclassified track off the A5086 and benefits from an existing single-storey rear kitchen extension and a large parking and garden area. In addition, public right of way 412006 lies adjacent to the site, although this has been diverted on 18 January 2022. PROPOSAL Planning Permission is sought for the erection of an enlarged single-storey rear extension and a very modest first floor extension to infill the corner. The extension and alterations will provide an enlarged kitchen-dining-living room, utility, shower room, WC and storage cupboard on the ground floor and	

an enlarged bathroom on the first floor.

The single-story extension will project 3.858 metres from the rear elevation and it will have an overall width of 12.4 metres. It has been designed to include a lean-to roof with an overall height of 3.8 metres and an eaves height of 2.4 metres. The side elevation will include an access door and two floor to ceiling windows and the rear elevation will include patio doors and two windows. It will also be lit by 4 skylights.

The first-floor extension will infill the corner and it will match the existing roof height and pitch. It will be lit by two skylights.

The proposed extension will be finished in wet dash render painted white, local slate roof tiles and white UPVC windows and doors to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Lamplugh Parish Council

No comments received.

Cumbria Footpath Officer

No objections.

Public Representations

The application has been advertised by way of press notice, site notice and neighbour notification letters issued to 4 no. properties - No formal objections have been received as a result of this consultation process, although a few queries were noted.

- The turning area to the side of the property;
- Construction hours;
- Building timeframes.

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 ENV6 – Access to the Countryside

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 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.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy H14PU – Domestic Extensions and Alterations

Policy CO6PU – Countryside Access

Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

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 or public right of way.

Principle of Development

The proposed application relates to a residential dwelling close to Lamplugh and it will provide enlarged kitchen-dining-living room, utility, shower room, WC and storage cupboard on the ground floor and an enlarged bathroom on the first floor. 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 relatively 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.

Due to the orientation of the existing property and the siting of the extension, 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 is 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 overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, the extension will be relatively modest in scale and appropriately located within the site. The design of the lean-to roof will minimise potential overshadowing issues and as no neighbours are located directly to the rear of the extension, overlooking concerns are mitigated.

Concerns were received regarding noise and disturbance during the construction period, although due to the nature of the householder development, construction hours would not be reasonable to control by a planning condition. Environmental Health will be able to address the noise and disturbance issues should problems occur once construction commences. In addition, the completion timeframes cannot be enforced and the commencement within three years of the permission is attached in condition 1.

On balance, 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.

Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.

The site visit confirmed the existing off-street parking to the rear of the property and the proposed garage will satisfy the needs of the dwelling and the Highway Authority requirements. The proposal is not considered to have a material effect on the existing highway conditions and therefore the proposal is acceptable.

Concerns regarding the turning area to side of the property were raised and it has been confirmed by the applicant that this will remain as part of this application. Although the right to use the turning area is a private matter and future boundary fence options to this space will be explored by the applicant. In the case of the application, the proposed extension will not interfere with this turning area and therefore the proposal is considered to be suitably located.

On this basis, the proposal is considered to comply with Policy DM22 and the Cumbria Development Design Guide.

Impact on Public Right of Way

Policy ENV6 recognises that existing Public Rights of Way are protected in law.

Public Rights of Way 412006 previously ran adjacent to the rear corner of the dwelling, although it has been diverted along the access track, approximately 3 metres from the proposed extension rear corner. The Cumbria County Council Footpath Officer confirmed the diversion of the right of way as declared in the application form - The Cumbria County Council (Footpath No 412006 Parish of Lamplugh) Public Path Diversion and Definitive Map and Statement Modification Order 2022 was confirmed on 18 January 2022.

On this basis, although the proposed extension will be visible from a small section of the Public Right of Way, it will be modest in scale and it will be viewed in the context of the existing dwelling and as such will not have any detrimental impact on users or the route of the Public Right of Way. It is appropriate to attach an informative note to the decision notice to advise that the right of way should remain open and un-obstructed.

Overall, therefore the proposal is considered to satisfy Policies ENV6, DM10 and the NPPF guidance.

Planning Balance and Conclusion

Planning Permission is sought for the erection of an enlarged single-storey rear extension and a very modest first floor extension to infill the corner.

The proposal is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties, highway safety or the public right of way.

On balance, it 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>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <li data-bbox="183 394 1503 657"> <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 data-bbox="183 741 1503 1329"> <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 8th March 2022; Location Plan, scale 1:1250, drawing reference DWG01 Rev A, received 8th March 2022; Block Plan, scale 1:500, drawing reference DWG02 Rev B, received 11th May 2022; Existing Floor Plans, scale 1:50, drawing reference DWG01 Rev A, received 8th March 2022; Existing Elevations, scale 1:100, drawing reference DWG01 Rev A, received 8th March 2022; Proposed Floor Plans, scale 1:50, drawing reference DWG02 Rev B, received 11th May 2022; Proposed Elevations, scale 1:100, drawing reference DWG02 Rev B, received 11th May 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>Informative Notes</p> <ol style="list-style-type: none"> <li data-bbox="232 1444 1382 1560"> <p>A PROW (public footpath) number 412006 lies adjacent to/runs through the site. The Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.</p> <li data-bbox="232 1612 1503 1728"> <p>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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</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. Unsworth</p>	<p>Date : 13/05/2022</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 16/05/2022</p>
<p>Dedicated responses to:- Adjoining Neighbour</p>	