

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2136/OF1
2.	Proposed Development:	PROPOSED SINGLE STOREY REAR EXTENSION TO PROVIDE SUN ROOM
3.	Location:	DUNMAIL HOUSE, 26 VICARAGE LANE, ENNERDALE
4.	Parish:	Ennerdale and Kinniside
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Known potential area for Marsh Fritillary
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: LOCATION This application relates to Dunmail House, 26 Vicarage Lane, a detached property located on an existing housing estate within Ennerdale Bridge. The application site benefits from a large garden and an existing raised patio/decking area to the rear of the property. In addition, the site lies within Flood Zone 2 and 3. PROPOSAL Planning Permission is sought for the erection of a single-storey rear extension to provide a sunroom.	

The extension will project 4.45 metres from the rear elevation and it will have a width of 4.8 metres. It has been designed to include a pitched roof with an overall height of 4.4 metres and an eaves height of 2.7 metres. The rear elevation will include a glazed gable and Juliet balcony, the west side elevation will include an access door and the east side elevation will include bi-fold doors. It will also be lit by 4 skylights and it will be finished in wet dash sand cement render, a natural slate roof and 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

Ennerdale and Kinniside Parish Council

No comments received.

Environment Agency

No comments received.

Copeland's Flood Engineer

Concerns regarding the development increasing flood risk.

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

Policy ENV1 – Flood Risk and Risk Management

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)

National Planning Practice Guidance (NPPG)

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

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 Ennerdale Bridge and it will provide a rear sunroom extension. 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 overlooking and overshadowing issues between the proposed extension and the neighbouring properties were considered, the extension will be relatively modest in scale, stepped away from the existing side elevations of the detached house. On this basis, due to the siting, it is not considered that the extension will lead to a significant reduction in daylight or loss of privacy for the neighbouring properties.

In addition, it is considered that the existing boundary fence will help screen the development and mitigate possible amenity issues.

On this basis, it was considered that the proposal will not have an adverse impact on neighbouring amenity and therefore the proposal is considered to meet Policy DM18 and the NPPF guidance.

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 application is accompanied by a Householder and Other Minor Extensions in Flood Zones 2 and 3 form. It is considered that the rear extension within Flood Zones 2 and 3 would be an acceptable form of development, based on the guidance set out in the NPPG.

The Council's Flood Engineer raised concerns regarding the possible increased flood risk elsewhere as a result of the development. However, the Environment Agency, as a statutory consultee did not raised any comments and under the current permitted development rights, an extension could project 4 metres from the rear elevation without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. The scale is considered to be modest as the rear projection is not significantly larger than what is possible under permitted development and it will not project the full width of the property. The proposed extension floor area is smaller than what is possible under permitted development rights and therefore the proposal is considered to be satisfactory and it will not have a detrimental impact on flood risk.

In addition, the floor levels will match the existing and due to the siting of the existing raised patio/decking area, the extension will not increase the impermeable surface.

A number of flood resistance and resilience measures are to be incorporated into the proposed

	<p>extension and this can be secured by the use of a planning condition.</p> <p>On balance, the extension is not considered to have a detrimental impact on flood risk and it is therefore considered that the proposal will satisfy Policy DM24 and the NPPG guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed single-storey 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 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.	<p>Conditions:</p> <ol style="list-style-type: none"> <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> <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 21st March 2022; Location Plan, scale 1:2500, reference MJ/KT/22/02, received 21st March 2022; Block Plan, scale 1:500, reference MJ/KT/22/02, received 21st March 2022; Existing Floor Plans and Elevations, scale 1:100, reference MJ/KT/22/01, received 21st March 2022; Proposed Floor Plans and Elevations, scale 1:100, reference MJ/KT/22/02, received 21st March 2022; Householder and other minor extensions in Flood Zones 2 and 3 Form, received 9th 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>3. The flood resilience and mitigation measures must be implemented as part of the development hereby permitted in accordance with the details set out in the 'Householder and Other Minor Extensions in Flood Zones 2 and 3 Form' received by the Local Planning Authority on 9th May 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>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>	
Case Officer: C. Unsworth		Date : 19/05/2022
Authorising Officer: N.J. Hayhurst		Date : 19/05/2022
Dedicated responses to:- N/A		