



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2229/OF1
2.	Proposed Development:	EXTENSIONS TO THE REAR ELEVATION AND DETACHED GARAGE
3.	Location:	SUNNYCROFT, BOUNDARY LANE, MILLOM
4.	Parish:	Millom
5.	Constraints:	<p>ASC;Adverts - ASC;Adverts,</p> <p>Flood Area - Flood Zone 2,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Potential areas for Natterjack Toads</p>
6.	Publicity Representations &Policy	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: NO</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to Sunnycroft, detached bungalow situated within Millom. The site benefits from a large garden and an existing driveway and a detached garage. The rear garden is bound by a large leylandii hedge along the north and east boundary and the site also falls within flood zone 2.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of two single-storey rear extensions and a detached garage. The extension will provide an enlarged kitchen-dining room, an enlarged bedroom and a new shower room and utility.</p>

The two rear extensions will project 6.2 metres from the rear elevation of the dwelling, and they will both measure 4.35 metres in width. They have been designed to include a cross-gable roof with an overall height of 4.3 metres and an eaves height of 2.6 metres to match the existing property. The left gable extension will include two windows on the west facing side elevation and the rear and side elevation will be blank. The right gable extension will include an access door on the west facing side elevation facing the yard, the rear elevation will include a utility window and the east facing side elevation will include a kitchen window. The right gable extension will also be lit by one roof light.

The detached garage will be an L-shaped with an overall width of 7.25 metre and an overall depth of 6.1 metres. The front projection will measure 4 metres in width, and it will project 2.1 metres forward. It has been designed with a pitch roof and cross-gable with an overall height of 3.7 metres and an eaves height of 2.2 metres. The front elevation will include a garage door and window and the east side elevation facing the garden will include window. The rear and west side elevation will be blank.

The extension and garage will be finished with roughcast render, natural grey slate and white UPVC windows and doors to match the existing dwelling. The garage will also include side hung metal 'horizontal board effect' garage doors.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous applications for this property.

CONSULTATION RESPONSES

Millom Town Council

No objection.

Highway Authority

Standing advice.

Lead Local Flood Authority

Standing advice.

Environment Agency

Standing advice - [Review individual flood risk assessments: standing advice for local planning authorities - GOV.UK \(www.gov.uk\)](#)

Copeland's Flood Engineer –

Initial comments:

- Comments regarding the current drainage and combined sewer.
- The proposed garage is situated directly over the drain/ sewer, as is the existing garage and

the status drain/sewer would affect what would be permitted or not with regards to build over. To be dealt with at Building Regulations stage.

- As there is an increase in impermeable surface area, explore opportunity to attenuate (water butts noted) the additional surface water created, or divert it to the culverted watercourse to the rear.

Final comments:

- Concerns with any increase in surface water entering the combined sewer in Millom, with the project to reduce flood risk currently being delayed.
- On an individual application basis, the increase in surface water into the under capacity combined sewer from one application would be almost negligible, this is one of many applications where there has been an increase in the impermeable drained surface area.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

One letter of objection has been received as a result of this consultation process which raised the following issues:

- No issues with plans to improve Sunnycroft but concerns with the new garage will have on the enjoyment of the neighbouring garden and knock-on effect to the property value;
- Main concern is the potential overshadowing from the proposed garage in the neighbours garden during the peak/summer months;
- The removal of T1 and T2 to 'allow more light into 30 Cook St' is an acknowledgement that the proposed garage is going to block light;
- The orientation of the proposed garage will cause more overshadowing than the existing boundary tree/hedge.

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 ENV3 – Biodiversity and Geodiversity

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

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

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 DS8PU – Reducing Flood Risk

Policy DS9PU – Sustainable Drainage

Policy H14PU – Domestic Extensions and Alterations

Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

ASSESSMENT

The key issues raised by this proposed are the principle of development, its scale and design and the potential impacts on residential amenity, highway safety, flood risk, ecology and the public right of way.

Principle of Development

The proposed application relates to a residential dwelling within Millom and it will provide an enlarged kitchen-dining room, an enlarged bedroom and a new shower room and utility and a detached garage. 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 of the Local Plan 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 rear extension and detached garage are relatively modest in scale and appropriately sited within the large garden. They will replace existing rear gable projections and a detached garage and therefore the design respects the character and appearance of the existing property. The extensions and detached garage are not considered to be excessively prominent in the street scene, due to the existing boundary hedge providing suitable screening. In addition, the choice of materials match the existing dwelling.

On this basis, the proposal is considered to meet Policy DM18(A) 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 amenity issues between the proposed extension and the neighbouring properties were considered, the proposed rear extensions and detached garage are considered to be suitably located within the large site.

Overshadowing concerns were received as a result of the neighbour consultation, although as the proposal will not be located within 2 metres of the boundary, under current permitted development rights, a pitched roof outbuilding could be erected up to 4 metres in height within this location without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the overall height of the proposal is not larger than what is possible under permitted development, the proposed garage is considered to be satisfactory and it will not cause significant loss of light or dominance on the neighbouring properties.

In addition, the existing hedge will help screen the development and provide suitable mitigation.

Although to ensure the garage use will remain domestic in nature, a planning condition is proposed. This will help to minimise impact on the amenities of the occupiers of surrounding dwellings and ensure that non-conforming uses are not introduced into the area.

On balance, the proposal will not have a detrimental impact on the neighbouring amenity and it is considered that the proposal will meet Policy DM18 and the NPPF guidance.

Highway Safety

Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

The site access and off-street parking will remain unchanged to the front and side of the property. The site visit confirmed the site benefits from two off-street parking spaces and therefore the existing driveway will provide adequate off-street parking to meet the needs of the proposed three-bedroom property.

On this basis, the rear extension and detached garage will not have a detrimental effect on the existing highway conditions and it is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.

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 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.

In accordance with the Environment Agency's guidance, the householder extension is considered to fall under the minor development standing advice. The site falls within flood zone 2 with medium probability of flood risk with the land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% – 0.1%) in any year.

Despite the Flood Engineer's queries, the flood resilience measures are considered to be suitable for the modest extension and the minor development is not considered to raise significant flood risk issues. The flood resilience and mitigation measures outlined on the form can be secured by the use of a planning condition.

The applicant also provided additional details to confirm any alterations or realignment of the drain running under the proposed garage will be completed at Building Regulations stage. In addition, the garage is to include large rainwater storage tanks to help reduce direct discharge into the sewer.

The extension and garage floor area is less than what is possible for an outbuilding and extension installed under Permitted Development. This fall-back position is a material consideration in the assessment of this application. Given what is possible under permitted development, the proposal is considered to be satisfactory and it will not have a detrimental impact on flood risk within the site or elsewhere.

Overall, the proposal complies with Policy ENV1 and DM24.

Ecology

Policy ST1, ENV3 and DM25 and section 15 of the NPPF outline how the Council will protect and

	<p>enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals 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 relates to a residential dwelling which 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 householder application.</p> <p>It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Public Right of Way</u></p> <p>Although the application site lies within the 50-metre buffer of the Public Right of Way 415014 and the extension and garage might be visible from a small section of the public footpath, it will be modest in scale and design. The extension and garage will also be seen in the context of the existing dwelling. This will minimise the impact of the development and therefore the proposal will not harm the physical footpath or the amenity of the footpath user.</p> <p>On this basis, the proposal is considered to satisfy Policy DM10 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks to erect two rear extensions and detached garage. The main issues raised by the application were the potential amenity issues and flood risk.</p> <p>Concerns were received regarding overshadowing, the removal of the hedge for lighting reasons and the knock-on effect for the enjoyment of the garden space and impact on property value. A site visit was carried out to the application site to assess the impact of the proposal.</p> <p>Overall, the proposal is considered to be suitably located, stepped away from the boundary and it will be acceptable in terms of scale and design. In addition, given what is possible without planning permission, the proposal will not have any detrimental impact on the amenities of the adjoining properties, highway safety, flood risk, ecology or the public right of way.</p> <p>The planning conditions proposed will ensure the flood mitigation measures are installed and the detached garage remains domestic in use further protecting residential amenity.</p> <p>Concerns regarding the property value is not material planning considerations so cannot be considered as part of the application assessment.</p> <p>On balance, the application is considered to be 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: 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 25th May 2022; Site Plan, scale 1:1250, drawing no. 1752 sheet 1, received 25th May 2022; Block Plan, scale 1:230, drawing no. 1752 sheet 1, received 25th May 2022; Existing and Proposed Floor Plan, scale 1:50 and 1:100, drawing no. 1752 sheet 2, received 25th May 2022; Existing and Proposed Elevations, scale 1:100, 1752 sheet 1, received 25th May 2022; Householder and Other Minor Extensions in Flood Zones 2 and 3 Form, received 25th 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>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 25th 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>The garage must be used for the parking of private vehicles and the storage of domestic</p>
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	<p>equipment only in association with the residential property known as Sunnycroft 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 in accordance with Policy DM18 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 : 18/08/2022
Authorising Officer: N.J Hayhurst		Date : 18/08/2022
Dedicated responses to:- N/A		