

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2264/OF1
2.	Proposed Development:	CONSTRUCTION OF A SINGLE STOREY FRONT AND REAR EXTENSION, NEW BAY WINDOW TO FRONT ELEVATION, INTERNAL AND EXTERNAL ALTERATIONS TO AN EXISTING DWELLING PLUS AN INCREASED DROPPED KERB AND VEHICLE CROSSOVER TO MAIN ACCESS
3.	Location:	32 MAINSGATE ROAD, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
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: SITE AND LOCATION <p>This application relates to 32 Mainsgate Road, a semi-detached property situated within the residential area Millom. The site benefits from an existing driveway to the front of the property and a large rear garden. The site also lies within Flood Zone 2.</p> PROPOSAL <p>Planning permission is sought for the erection of a single-storey rear extension and a front porch extension and bay window. The extensions will provide an enlarged kitchen-dining room and garage and a new porch, office, utility room and ground floor WC.</p>	

The single-storey rear extension will project 3.2 metres from the rear elevation and it will be 8.818 metres in width to match the existing dwelling. It has been designed to include a lean-to roof with an eaves height of 2.4 metres and an overall height of 3.4 metres. It has been designed to include patio doors and two windows on the rear elevation and the side elevation of the extension will be blank. It will also be lit by 4 skylights.

The front porch and garage extension will project 2 metres from the front elevation and will be 5.383 metres in width. It has been designed to include a lean-to roof with an eaves height of 2.4 metres and an overall height of 3.4 metres. It will include an access door and garage door on the front elevation and the side elevations will be blank. The lean-to extension will be lit by one skylight and the proposal also includes the installation of a bay window on the front elevation.

The works also includes the installation of a WC and utility window on the side elevation of the existing dwelling. The extensions will be finished in white painted render, cement roof tiles and anthracite grey UPVC windows and doors to match the existing property.

The proposal also includes a widened vehicle access and new permeable paving across the front garden.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for a first floor bedroom/ensuite extension (ref: 4/04/2278/0).

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highway Authority and Lead Local Flood Authority

No comments received.

Environment Agency

No comments received.

The Council's Flood Engineer

Objection. Concerns regarding increased drained impermeable surface area draining into the combined sewer and works will be over or close to a culverted watercourse (not show on the plan), and both a surface water sewer and foul sewer, without agreement for such works being in place. Whilst on an individual basis the increase is very small, it is the accumulative effects of similar developments that increase flood risk from a system that doesn't currently have sufficient capacity.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 3 no. properties - No objections have been received as a result of this consultation.

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)

National Planning Practice Guidance (NPPG)

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 H14PU – Domestic Extensions and Alterations

Policy N1PU – Conserving and Enhancing Biodiversity and Geodiversity

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, flood risk and ecology.

Principle of Development

The proposed application relates to a residential dwelling within Millom and it will provide an enlarged kitchen-dining room and garage and a new porch, office, utility room and ground floor WC. 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 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 single-storey rear extension and front bay window, porch and garage will be relatively modest in scale and appropriately sited to the rear and front of the property. The proposed design will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. The design will not be overbearing for the neighbouring properties and the choice of materials will match the existing property.

On this basis, the proposal is considered to meet Policies DM10 and 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 the parent property or adjacent dwellings.

Whilst amenity concerns between the proposed extension and the neighbouring properties were considered, the proposed rear and front extension will be relatively modest in scale and

appropriately located within the site.

Taking into account the existing orientation of the dwelling and the proposed siting of the extensions to the north of the adjoining property, it is not considered that the extensions will cause significant overshadowing or dominance. Furthermore, the existing boundary fence along the side elevations of the site are to be retained, which will mitigate against any potential for overlooking.

In addition, under current permitted development rights, an extension could project 3 metres from the rear elevation, with an overall height of 4 metres without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As the proposed height 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.

On this basis, the proposal will have little impact on the residential amenity and it is considered to comply with Policies DM18(B), DM18(C) 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 proposal includes a widened vehicle access and new permeable surfacing within the front garden. This will ensure adequate off-street parking will be provided to meet the Highway Authority requirements and therefore it is considered the proposal will not have a detrimental effect on the existing highway conditions.

The application notes a new brick wall along the front of the site will be installed to provide a new vehicle entrance gate. It is therefore appropriate to attach planning conditions to restrict the wall height and access gates.

In addition, the applicant might be required to apply for a permit from the Cumbria County Council Streetworks department to alter the driveway access and dropped kerb. It is therefore appropriate to include these details as an informative note.

On this basis, the proposal is considered to meet Policy DM22 and 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 application is accompanied by a Householder and Other Minor Extensions in Flood Zones 2 and 3 form. It is considered that the extension within Flood Zones 2 would be an acceptable form of development, based on the guidance set out in the NPPG.

The Council's Flood Engineer raised concerns with the increase in impermeable surface area draining into the combined sewer, noting whilst on an individual basis the increase is very small, it is the

accumulative effects of similar developments that increase flood risk from a system that clearly hasn't currently got sufficient capacity. However, the Environment Agency, as a statutory consultee did not raised any comments and it should be noted that under the 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 material consideration in the assessment of this application. As the projection is not significantly larger than what is possible under permitted development, this proposal is considered to be satisfactory and it will not have a detrimental impact on flood risk.

Further to the Flood Engineers concerns regarding the works being over or close to a culverted watercourse and both a surface water sewer and foul sewer, the agent has provided an 'agreement in principle' document from United Utilities. On this basis, the works are considered to be acceptable.

In addition, the site visit confirmed only a small area of the garden will increase the drained non-permeable surface as the rear garden is already paved/concreted. The application is also supported by the flood risk assessment which includes measures to mitigate against these issues and these can be secured by the use of a planning condition.

On balance, the proposal is considered to be acceptable and therefore it will comply with Policy DM24 and the NPPG guidance.

Ecology

Policy ST1, ENV3 and DM25 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 proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

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 on an existing housing estate. 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.

It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.

Planning Balance and Conclusion

The proposed single-storey rear and front extension are of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties, highway safety, flood risk or ecology.

Despite concerns from the Council's Flood Engineer, the extensions will be modest in scale and are not significantly larger than what is possible under current permitted development rights.

On balance, the proposal 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="183 352 1500 422">1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <li data-bbox="183 470 1500 1318"> <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 20th June 2022; Location Plan, scale 1:1250, drawing ref 22-22-P-L, received 20th June 2022; Block Plan, scale 1:500, drawing ref 22-22-P-L, received 20th June 2022; Proposed Site Plan, scale 1:250, drawing ref 22-22-P-01, received 20th June 2022; Existing Floor Plans, scale 1:100, drawing ref 22-22-P-02, received 20th June 2022; Existing Elevations and 3D Sketches, scale 1:100, drawing ref 22-22-P-03, received 20th June 2022; Proposed Floor Plan, scale 1:100, drawing ref 22-22-P-04A, received 20th June 2022; Proposed Elevations, scale 1:100, drawing ref 22-22-P-05A, received 20th June 2022; Proposed 3D Sketches, drawing ref 22-22-P-06A, received 20th June 2022; Householder and Other Minor Extensions in Flood Zones 2 and 3 Form, received 20th June 2022; Flood Map, received 20th June 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> <li data-bbox="183 1598 1500 1780">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 20th June 2022. The flood resilience and mitigation measures must be maintained thereafter.

	<p>Reason</p> <p>To protect the property against flood damage in accordance with Policy DM24 of the Copeland Local Plan.</p> <p>4. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05 metres above the carriageway level of the adjacent highway and shall not be raised to a height exceeding 1.05 metres thereafter.</p> <p>Reason</p> <p>In the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.</p> <p>Informative Notes</p> <p>1. Any works within the Highway must be agreed with the Highway Authority.</p> <p>Before any works are commenced, you should contact Cumbria Highway's Street Works team to obtain an appropriate permit.</p> <p>Enquires should be made to Cumbria County Councils Streetwork's team streetworks.central@cumbria.gov.uk</p> <p>2. Access gates, if provided, should be hung to open inwards only away from the highway.</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 : 12/08/2022
Authorising Officer: N.J. Hayhurst	Date : 12/08/2022
Dedicated responses to:- N/A	