

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2299/OF1
2.	Proposed Development:	PROPOSED 2 STOREY EXTENSION TO REAR, WIDENING OF PARKING AND PROPOSED GARDEN SHED/SHELTER
3.	Location:	BRIMFULL, HAILE
4.	Parish:	Haile
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, 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 Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to Brimfull, a detached dormer bungalow within the village of Haile. The site benefits from a large garden with existing off-street parking and a detached garage to the side of the property. PROPOSAL Planning Permission is sought for the erection of a two-storey rear extension, a single-storey garden outbuilding and an enlarged parking area. The proposed extension will provide an enlarged kitchen-dining area, a new utility room and an enlarged bedroom with en-suite and dressing area.	

The two-storey rear extension will project 2.8 metres from the rear elevation and it will have a width of 7.8 metres. It has been designed to include a cross-gable with an overall height to match the existing property. The rear elevation will include a window and bi-fold door on the ground floor and patio doors and a Juliet balcony at first floor level. The side elevation facing the driveway will include an access door and the side elevation facing the garden will include bi-fold doors. It will be finished in render and slate roof tiles to match the existing property and the windows and doors will be powder coated aluminium. It will also include two skylights and solar panels on the rear elevation.

The proposed outbuilding will include two stores and a covered sheltered area. It will measure 5 metres by 3 metres. It has been designed to include a pitched roof with an overall height of 3.1 metres and an eaves height of 2.1 metres. The front elevation will include access doors to the store and an open sheltered area. The south facing side elevation will also be open and the north facing side and rear elevations will be blank. It will be constructed out of natural timber boarding and felted roof tiles and the rear roof elevation will include solar panels.

The proposed widened parking area will extend into the front garden and it will be constructed out of concrete to match the existing driveway and it will drain towards the garden area. The parking area will provide two off-street parking spaces.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the erection of a replacement garage (ref: 4/99/0286/0).

CONSULTATION RESPONSES

Haile Parish Council

No comments received.

Highway Authority

Standing advice.

Lead Local Flood Authority

Standing advice.

Cumbria County Councils Footpath Officer

No comments received.

Natural England

No comments received.

Public Representations

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 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 ENV3 – Biodiversity and Geodiversity

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

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 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 and the potential impacts on residential amenity, highway safety, ecology and protected species and the public right of way.

Principle of Development

The proposed application relates to a residential dwelling within Haile and it will provide an enlarged kitchen-dining area, new utility room, an enlarged bedroom with en-suite and dressing area, a new storage outbuilding and a widened parking area. 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 scale and design of the two-storey rear extension and single-storey outbuilding are considered to be relatively modest while respecting the character of the existing dwelling.

The two-storey rear extension will be located behind the main element of the existing dwelling and it will match the ridge line of the existing dwelling. This will ensure that the proposal does not appear excessively prominent within the locality. The proposed materials will modernise the appearance of the existing dwelling and the proposal design is considered to be suitable for its use.

The single-storey outbuilding will be suitably located within the large rear garden and it will be of a suitable design for a domestic storage shed. The proposed materials are also typical of a shed and therefore it will not be a dominant feature within the garden.

Overall, the development is considered to suitably reflect the character and appearance of the existing property and therefore it is considered to meet Policy DM18(A) and 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 potential amenity issues between the proposed extension, outbuilding and the neighbouring properties were considered, the proposal is considered to be suitable in scale and design. Due to the siting of the extension and outbuilding within the large rear garden and the significant separation distances across the access track to the closest neighbours to the north, it is considered that the proposal will not cause a significant loss of light or privacy on the neighbouring property.

In addition, no concerns were raised as a result of the neighbour consultation process.

On this basis, it is considered that it will not have a detrimental impact on the neighbouring amenity and therefore the proposal satisfies Policies DM18(B), DM18(C) 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 proposal includes the widening of the parking area to the side of the dwelling. It will extend slightly into the front garden, and it will be constructed out of concrete to match the existing driveway and drain towards the garden area. The proposed extension will not result in an increase in the number of bedrooms at the dwelling and therefore the two off-street parking spaces are considered to be sufficient to meet the needs of the property.

It is therefore considered that the widened driveway will provide adequate off-street parking and the proposal will not have a detrimental effect on the existing highway conditions.

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

Ecology and Protected Species

Policies 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 proposal that are likely to have an effect on nature conservation sites, habitats and protected species.

A Bat Survey has been submitted in support of the planning application.

The Bat Report confirmed that 'Brimfull' has a low potential for roosting bats and therefore the potential impacts are low risk. However bats are present around the site and therefore the report includes a mitigation strategy to minimise the risk of any harm to individual bats and maintain the favourable status of bats in the locality.

Following local planning guidance and in order to achieve a net gain in bio-diversity, new roost sites have been proposed. This will enhance the habitat potential for bats on the site.

Natural England's standing advice applies, and an informative note is included with information regarding the wildlife mitigation licence.

	Planning conditions are proposed to secure that the completion of relevant mitigation and enhancement measures as proposed. It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF. <u>Public Right of Way</u> Although the application site lies within the 50-metre buffer of the Public Right of Way 410001 and the proposed development might be visible from a small section of the public footpath, it will be modest in scale and it will be viewed in the context of the existing dwelling. The site visit confirmed the PROW runs along the access track adjacent to Brimfull and as such it will not have any detrimental impact on the Public Right of Way. The proposed development will be located within the boundary of the rear garden and therefore it will not harm the physical footpath or the amenity of the user. An informative note has been attached to ensure the right of way remains open and un-obstructed. Overall, the proposal is considered to satisfy Policies ENV6, DM10 and the NPPF guidance. <u>Planning Balance and Conclusion</u> This application relates to a residential dwelling within Haile and it will provide an enlarged kitchen-dining area, new utility room, an enlarged bedroom with en-suite and dressing area, a new storage outbuilding and a widened parking area. The proposal is considered to be acceptable in terms of scale and design and, given the significant separation distances, it will not have any detrimental impact on the amenities of the adjoining properties. In addition, the proposal will not affect highway safety, the public right of way or protected species and it will enhance biodiversity with the provision of new roosting sites. These measures can be secured by the use of a planning condition. On balance, the proposed extension, outbuilding and enlarged driveway represents acceptable forms of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: 1. The development hereby permitted must commence 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: - Application Form, received 13th July 2022; Site Location Plan, scale 1:1250, drawing no. 21.26.05b, received 13th July 2022; Proposed Block Plan, scale 1:200, drawing no. 21.26.06b, received 13th July 2022; Existing Floor Plan and Elevations, scale 1:100, drawing no. 21.26.01a, received 13th July 2022; Proposed Floor Plans, scale 1:50, drawing no. 21.26.05b, received 13th July 2022; Proposed Elevations, scale 1:50, drawing no. 21.26.06b, received 13th July 2022; Bat Survey, Report Reference 7967, received 13th July 2022. Reason 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.
3.	The mitigation measures associated with bat roosts must be implemented as part of the development hereby permitted in accordance with the details set out in the Bat Survey, Report Reference 7967, received by the Local Planning Authority on 13th July 2022. Reason To enhance biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.
4.	Prior to the first use of the extension, new roost sites must be installed in accordance with the details set out in the Bat Survey Recommendations, Report Reference 7967, received by the Local Planning Authority on 13th July 2022. The measures must be maintained thereafter. Reason To enhance biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

Informative Note

1. It is an offence under Wildlife and countryside Act to damage or destroy a bat roost. It is likely the applicant will need to a wildlife mitigation licence from Natural England before the work can start. For more details on how to apply for a bat mitigation licence, please follow the link: <https://www.gov.uk/government/publications/bats-apply-for-a-mitigation-licence>
2. A PROW (public footpath) number 410001 lies adjacent to the site. The Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.
3. The site is located within the Detailed Emergency Planning Zone (DEPZ). The Cumbria County Council Resilience Unit therefore advised due to the fact that the application could increase the number of persons in the area (including trade people), the applicant should liaise with Resilience Unit via emergency.planning@cumbria.gov.uk to allow for further discussions to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

Statement

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.

Case Officer: C. Unsworth**Date : 31/08/2022****Authorising Officer: N. J. Hayhurst****Date : 05/08/2022****Dedicated responses to:- N/A**