

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2334/OF1
2.	<b>Proposed Development:</b>	CONSTRUCTION OF A FIRST FLOOR SIDE EXTENSION OVER THE EXISTING GARAGE WITH EXTERNAL BRICK COLUMNS, AND SINGLE STOREY REAR EXTENSION TO AN EXISTING DWELLING
3.	<b>Location:</b>	4 BASSENTHWAITE CLOSE, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  <p>This application relates to 4 Bassenthwaite Close, a detached property located on an existing housing estate within Whitehaven. The site benefits from an existing single-storey attached garage and driveway to the front of the property.</p>  <b>PROPOSAL</b>  <p>Planning Permission is sought for the erection of a first floor side extension over the existing garage and a single-storey rear extension. The extension will provide a new playroom on the ground floor and a new master bedroom and en-suite at first floor level.</p> <p>The first floor side extension will project 3.96 metres from the side elevation. This will extend beyond the existing garage at ground floor level and the extension has been designed with supporting brick</p>	

columns to support the overhang. Its depth will match the existing property and it has been designed to continue the roof pitch and height of the existing dwelling. The extension will include a garage door, a covered walkway and a first-floor bedroom window on the front elevation, the side elevation will be blank, and the rear elevation will include a first floor en-suite window. It will also be lit by a single rooflight on the rear roof slope.

The proposed single-storey rear extension will project 3.6 metres from the rear elevation, and it will be 3.2 metres in width. It has been designed to include a pitched roof with an overall height of 3.5 metres and an eaves height of 2.5 metres. It will include patio doors on the side elevation facing the garden and the rear and side elevation along the boundary will be blank. It will also be lit by 1 skylight.

The proposed extensions will be finished with bricks and render, concrete roof tiles, white UPVC windows and doors to match the existing dwelling.

#### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the erection of a kitchen extension on the rear elevation (ref: 4/18/2439/0F1).

#### **CONSULTATION RESPONSES**

Millom Town Council – No objections.

##### Public Representations

The application has been advertised by way of neighbour notification letters issued to 4 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 ENV1 – Flood Risk and Risk Management

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 Proposal 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 H14PU – Domestic Extensions and Alterations

Policy N1PU – Conserving and Enhancing Biodiversity and Geodiversity

**ASSESSMENT**

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

Principle of Development

The proposed application relates to a residential dwelling on an existing housing estate within Millom

and it will provide a new playroom on the ground floor and a new master bedroom and en-suite at first floor level. 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 safeguard good levels of quality and attractiveness. 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 first floor side extension and single-storey rear extension will be relatively modest in scale and appropriately located within the site. The proposed design provides a continuation of the roof height and pitch on the side extension which will reflect the appearance of the existing property. The single-storey rear extension is also considered to be appropriate in design for its use as a playroom. The overall scale and design of the two extensions will ensure that they appear subservient to the main dwelling, and will not be excessively prominent within the locality. In addition, the proposed materials will match the existing property which will ensure the proposal reflects the character and appearance of the existing dwelling.

On this basis, the proposal 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.

The existing dwelling to the north east has a rear conservatory extension which is set at a higher level to the application site. Whilst amenity issues between the proposed extensions and the neighbouring properties were considered the side extension will not extend beyond the rear wall of the existing dwelling. This will limit its impact on the adjoining conservatory. The proposed single storey extension will be relatively modest in scale and appropriately located to the rear of the site.

No concerns were raised as a result of the neighbour consultation process and, due to the orientation of the existing property and the impact of the existing gable on the neighbouring property, it is considered that the proposed two-storey extension will not cause a significant loss of light or result in a dominant or overbearing impact on the neighbouring property, no. 2 Bassenthwaite Close.

In addition, no windows will be included on the side elevation and therefore the design of the proposal is considered to mitigate overlooking or privacy issues.

The proposed single-storey rear extension will not be significantly larger than what is possible under permitted development. Under current permitted development rights, an extension could project 3 metres from the rear elevation with a height of 4 metres without the requirement for formal

planning permission. This fallback position is a material consideration in the assessment of this application and therefore the proposal is considered to be satisfactory.

On balance, the proposal is considered to be acceptable. Taking into account what is possible under Permitted Development and the orientation of the existing property, the proposed extension design is acceptable, and it will not adversely harm the neighbouring amenity. It is therefore considered that 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 site access and off-street parking for two vehicles will remain unchanged to the front of the property and within the garage and therefore it is considered that the existing driveway will provide adequate off-street parking to meet the needs of the property.

On this basis, the proposal 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

Policy ENV1 and DM24 seeks to protect developments against risks of flooding and ensure that new developments do not contribute to increased surface water run-off.

The site lies within Flood Zone 1 and therefore the proposals will not result in any impact on flood risk within the locality. The applicant has provided details of the measures that are to be incorporated within the development to reduce the likelihood and impacts of flooding. These are welcome.

On this basis, the proposal is considered to achieve the requirement of Policies ST1, ENV3 and DM25 of the Copeland Local Plan.

#### 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.

	<p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for the erection of a two-storey side and single-storey rear extension. The proposed extensions are considered to be of an appropriate scale and design and will not have any significant detrimental impact on the amenities of the occupiers of the neighbouring properties. No issues are raised relating to highway safety, flood risk or ecology.</p> <p>On this basis, 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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <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> <li> <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 11<sup>th</sup> August 2022;  Location Plan, scale 1:1250, drawing no. 22-31-P-L, received 11<sup>th</sup> August 2022;  Block Plan, scale 1:500, drawing no. 22-31-P-L, received 11<sup>th</sup> August 2022;  Proposed Site Plan, scale 1:200, drawing no. 22-31-P-01, received 11<sup>th</sup> August 2022;  Existing Floor Plans, scale 1:100, drawing no. 22-31-P-02, received 11<sup>th</sup> August 2022;  Existing Elevations, scale 1:100, drawing no. 22-31-P-03, received 11<sup>th</sup> August 2022;  Proposed Floor Plans, scale 1:100, drawing no. 22-31-P-05, received 11<sup>th</sup> August 2022;  Proposed Elevations, scale 1:100, drawing no. 22-31-P-06, received 11<sup>th</sup> August 2022;  Existing 3D Sketches, drawing no. 22-31-P-04, received 11<sup>th</sup> August 2022;  Proposed 3D Sketches, drawing no. 22-31-P-07, received 11<sup>th</sup> August 2022;  Flood Map, received 11<sup>th</sup> August 2022;  Flood Risk Statement, received 11<sup>th</sup> August 2022.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,</p> </li> </ol>

as amended by the Planning and Compulsory Purchase Act 2004.

**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 : 29/09/2022**

**Authorising Officer: N.J. Hayhurst**

**Date : 03/10/2022**

**Dedicated responses to:- N/A**