



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/22/2351/0F1 | |
| 2. | Proposed Development: | ERECTION OF A DORMER BUNGALOW & ERECTION OF DETACHED GARAGE ASSOCIATED WITH CALDERFIELD | |
| 3. | Location: | CALDERFIELD, SALTHOUSE ROAD, MILLOM | |
| 4. | Parish: | Millom | |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads | |
| 6. | Publicity Representations &Policy | Neighbour Notification Letter | Yes |
| | | Site Notice | Yes |
| | | Press Notice | No |
| | | Consultation Responses | See Report |
| | | Relevant Policies | See Report |
| 7. | Report: | | |
| | Site and Location | | |
| | This application site relates to part of the site known as Calderfield, a detached dwelling, located off Castle Road adjacent to Salthouse Road within the northern section of Millom. The site is currently garden land located to the south of the existing dwelling. The existing dwelling is currently accessed via a driveway from the south of the site, this will not be altered as part of this application. | | |
| | Relevant Planning History | | |
| | 4/15/2330/0F1 – Erection of a detached dwelling; new detached garage for Calderfield – Approved | | |

Proposal

This application seeks planning permission for the erection of a dormer bungalow. The proposed dwelling will measure 14.5m x 8m with an eaves height of 2.5m and an overall height of 6.5m. The proposed will also benefit from a rear gable which will project 3.5m from the rear elevation and extend 6m along the east of the dwelling. This rear gable will benefit from an eaves height of 2.1m and an overall height of 5m. The proposed has been designed to include three dormer windows within the front roof slope of the dwelling. The proposed dormers will be 2 metres in width and will extend 3m from the roof slope. The front elevation will also incorporate a bay window projecting 0.5m.

The proposed dwelling will be accessed from the west of the site off Castle View via a new driveway constructed from Marshalls permeable paving.

The site will be bound to the south by the existing hedgerow which is to be retained, a 900mm rendered wall to the west of the site, a 1.8m high rendered wall to the north and a 1.8m high fence to the east constructed from 900mm rendered wall and 900m larch lap timber fence.

Internally, the proposal will incorporate a living room, hallway, master bedroom with dressing room and ensuite bathroom, an open plan kitchen/dining room, a utility room, and an integrated garage. The roof space of the dwelling will accommodate three double bedrooms, a study, and a bathroom. Externally the development will be finished with brown brick and white dry dash render, interlocking grey concrete roof tiles, and brown UPVC windows and doors.

This application also seeks planning permission for the erection of a detached garage to be associated with the existing dwelling Calderfield. The proposed double garage will be located to the southwest of the existing dwelling and will measure 6m x 6m, benefitting from an eaves height of 2.1m and an ridge height of 4.5m. Externally the development will be finished with brown brick and white dry dash render, interlocking grey concrete roof tiles, and brown UPVC windows and doors.

Consultation Responses

Millom Town Council

27th October 2022

No objections in principle to this application.

Copeland Borough Council – Cumbria Highways & LLFA

16th September 2022

The applicants should ensure that they retain adequate land to secure a safe access to the existing house, Calderfield.

As this site is served off a private road then the above comments are advisory only.

24th October 2022

The applicants should ensure that they retain adequate land to secure a safe access to the existing house, Calderfield.

As this site is served off a private road then the above comments are advisory only.

United Utilities

26th September 2022

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

Natural England

No comments received.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to fifteen properties. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that 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 SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy T1 – Improving Accessibility and Transport

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG).

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| | <p>Cumbria Development Design Guide (CDG)</p> <p>The Conservation of Habitats and Species Regulations 2017 (CHSR).</p> <p>Strategic Housing Market Assessment 2021 (SHMA)</p> <p>Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)</p> <p><u>Emerging Copeland Local Plan (ELP):</u></p> <p>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.</p> <p>Strategic Policy DS1PU: Presumption in favour of Sustainable Development</p> <p>Strategic Policy DS2PU: Reducing the impacts of development on Climate Change</p> <p>Strategic Policy DS3PU: Settlement Hierarchy</p> <p>Strategic Policy DS4PU: Settlement Boundaries</p> <p>Strategic Policy DS5PU: Planning Obligations</p> <p>Policy DS6PU: Design and Development Standards</p> <p>Policy DS7PU: Hard and Soft Landscaping</p> <p>Strategic Policy DS8PU: Reducing Flood Risk Policy DS9PU: Sustainable Drainage</p> <p>Strategic Policy H1PU: Improving the Housing Offer</p> <p>Strategic Policy H2PU: Housing Requirement</p> <p>Strategic Policy H3PU: Housing delivery</p> <p>Strategic Policy H4PU: Distribution of Housing</p> <p>Strategic Policy H5PU: Housing Allocations</p> <p>Policy H6PU: New Housing Development</p> <p>Policy H7PU: Housing Density and Mix Strategic</p> <p>Policy H8PU: Affordable Housing</p> <p>Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity</p> <p>Strategic Policy N2PU: Local Nature Recovery Networks</p> <p>Strategic Policy N3PU: Biodiversity Net Gain</p> |
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Strategic Policy N6PU: Landscape Protection

Assessment

The key issues raised by this application relate to the principle of the development; the scale, design, and impact of the development; impact on landscape and settlement character; access, parking and highway safety; ecology; and drainage and flood risk.

Principle of Development

The site lies within the defined settlement boundary for Millom, which is classified within the Copeland Local Plan as a Key Service Centre in Policy ST2 of the Copeland Local Plan. This policy allows for infill housing sites and moderate allocations to form extensions to the town to meet general needs, with larger sites required to offer a proportion of affordable housing.

Policies ST1 and ST2 along with Policies SS1, SS2, and SS3, seek to promote sustainable development to meet the need and aspirations of the Borough's housing market. These policies further concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The NPPF also seeks to support the Government's objective of significantly boosting the supply of housing through sustainable development.

The principle of developing this site for residential purposes has already been established by the previous planning approval from 2015 (ref: 4/15/2330/0F1) which granted permission for a detached dormer bungalow on the site.

On this basis, it is therefore considered that the development would be in accordance with the aims and objectives of the NPPF which set a presumption in favour of sustainable development as well as the relevant policies of the adopted Copeland Local Plan. The principle of residential development is supported subject to site-specific matters.

This application also seeks permission for a detached garage to be used in association of the existing dwelling, Calderfield. 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, Design, and Impact of Development

Local Plan Policies DM10, DM11, and DM12, and section 12 of the NPPF, seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

The application reflects the previous planning permission at this site in terms of scale, design and layout, for both the detached garage and new residential dwelling. Concerns were, however, raised regarding the submitted information for this application, therefore the agent submitted amended elevation plans to fully reflect what is proposed for the new residential property, and an additional plan to show the proposed boundary treatment at this site. Based on these amended plans the development is considered to reflect the character of the surrounding properties and, due to the existing well established boundary treatment, is not considered to have a significant detrimental impact on the overall streetscene.

Although the proposed dwelling is to be located within a constrained site the proposed boundary treatments ensure that the development does not create overlooking concerns for existing residential properties and therefore the proposal does not have an adverse impact on residential amenity. An appropriately worded planning condition will be attached to any decision notice to secure the installation and retention of this boundary treatment to protect existing amenity.

The proposed detached garage will be set back from the rear elevation of the existing dwelling and to the northwest of the proposed dormer bungalow. Although large in scale the development is set within the rear of the garden and will be viewed in the context of the existing residential curtilage. The detached garage will be sited in close proximity of the proposed new dwelling however its orientation with the dwelling and the use of a hipped roof will limit the impacts on this development. A 1.8m high wall is also to be erected between the two developments. The existing boundary treatment will ensure that the development is well screened. However, given the scale of the development it is deemed necessary to include an appropriately worded planning condition on any decision notice to ensure the development is used for domestic purposes only.

No objections have been received from any neighbouring properties.

On the basis of the submitted amended/additional plans for this proposal the design and layout are therefore considered acceptable for this location. It is therefore considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Impact on Landscape and Settlement Character

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

The application site currently forms part of an existing residential garden, within an existing estate

which has recently been extended. As the development is surrounded by existing development the proposal is not considered to have an impact on the overall landscape. The development can also be considered an infill plot to complement the existing layout of the estate.

The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the NPPF.

Access, Parking and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

The proposed development will front onto Castle View and will be accessed via a driveway which will also provide parking for this dwelling. The proposed garage will be accessed via the existing driveway for Calderfield. Cumbria Highways have been consulted on this application and have offered no objections but have stated that the applicants should ensure that they retain adequate land to secure a safe access to the existing house, Calderfield. The existing access to the dwelling Calderfield is to remain unaltered therefore the development complies with this request.

On this basis the development is considered to comply with policies T1 and DM22 of the Copeland Local Plan and provisions of the NPPF.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan 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.

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 within a predominantly residential area, 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 single dwelling application which the principle has previously been established.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.

Drainage and Flood Risk

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least

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| | <p>risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.</p> <p>The application states that the foul water from the development will be discharged to the mains sewer and surface water will be dealt with via a soakaway. As no additional details have been provided a condition is proposed to secure proper drainage within the site to manage the risk of flooding and pollution, ensuring that the development complies with Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.</p> <p><u>Planning Balance</u></p> <p>The principle of developing this site for a single dwelling has been established by the previous 2015 planning permission granted for a dormer bungalow and garage to serve the existing dwelling.</p> <p>The site is located within the Key Service Centre of Millom where new housing is supported. The proposal matches that of the previously approval at this site and is of a scale and design which reflect the surrounding area. It is not considered to have a detrimental impact on the nearby residential properties. The development site is currently used as garden land associated with the existing dwelling and the use to accommodate an additional dwelling will fit within the context of the existing estate.</p> <p>As no details have been provided in relation to drainage these will be secured by an appropriately worded planning condition.</p> <p>On balance, the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p> |
| 8. | <p>Recommendation:</p> <p>Approve (commence within 3 years)</p> |
| 9. | <p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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> |

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Site Plan, Scale 1:500, Drg No: MEJ/2021/712/002A, received by the Local Planning Authority on the 24th August 2022.
- Proposed Floor Plans, Scale 1:100, Drg No: MEJ/2021/712/003, received by the Local Planning Authority on the 24th August 2022.
- Proposed Elevations (Amended), Scale 1:100, Drg No: MEJ/2021/712/004, received by the Local Planning Authority on the 17th October 2022.
- Proposed Garage Plans, Scale 1:50, Drg No: MEJ/2021/712/005, received by the Local Planning Authority on the 24th August 2022.
- Notes, Issue 1, August 2022, received by the Local Planning Authority on the 24th August 2022.
- Design & Access Statement, received by the Local Planning Authority on the 24th August 2022.
- Marshalls: Installation Details for Driveline Priora Paving, received by the Local Planning Authority on the 26th September 2022.
- Marshalls: Priora Permeable Paving Design Guide, received by the Local Planning Authority on the 26th September 2022.
- Landscaping Plan, Scale 1:200, Drg No: MEJ/2021/712/002B, received by the Local Planning Authority on the 26th September 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.

Pre-Commencement Conditions

3. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- A timetable for its implementation.

The approved scheme must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted must be carried out only in accordance with the approved drainage scheme and must be operational prior to the first occupation of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Prior to Use/Occupation Conditions:

4. Prior to the first occupation of the dwelling hereby approved the proposed boundary treatment must be installed in accordance with the approved plan 'Landscaping Plan, Scale 1:200, Drg No: MEJ/2021/712/002B, received by the Local Planning Authority on the 26th September 2022'. Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

In the interest of residential amenity.

Other Conditions

5. The development hereby approved must be completed in accordance with the approved materials detailed within the approved documents:
 - Proposed Elevations (Amended), Scale 1:100, Drg No: MEJ/2021/712/004, received by the Local Planning Authority on the 17th October 2022.

The development must be retained in accordance with these approved details for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or

extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of the visual amenity of the area.

7. The detached garage hereby approved must be used for the housing of private vehicles and domestic equipment only and must not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Calderfield, Salthouse Road, Millom.

Reason

To ensure that non-conforming uses are not introduced into the area.

8. Any access gates installed within the property must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

Reason

In the interest of highway safety.

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. Burns

Date : 03.11.2022

Authorising Officer: N.J. Hayhurst

Date : 03.11.2022

Dedicated responses to:- N/A