



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2403/OF1
2.	<b>Proposed Development:</b>	REAR EXTENSION
3.	<b>Location:</b>	SEATALLAN, 6 DOWNFIELD LANE, BIGRIGG
4.	<b>Parish:</b>	Egremont
5.	<b>Constraints:</b>	<p>ASC;Adverts - ASC;Adverts,</p> <p>Coal - Standing Advice - Data Subject to Change</p> <p>Key Species - Potential Area for Great Crested Newts</p> <p>Outer Consultation Zone - Sellafield 10KM</p>
6.	<b>Publicity Representations &amp;Policy</b>	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: NO Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p><b>Report:</b></p> <p><b>Site and Location:</b></p> <p>This application relates to Seatallan, 6 Downfield Lane, a detached bungalow located in the village of Bigrigg. The site benefits from a large garden to the rear which backs onto open fields.</p> <p><b>Proposal:</b></p> <p>Planning permission is sought for the erection of a full width extension to the rear to provide an open plan kitchen dining room with separate utility room and shower room.</p> <p>The proposed ground floor extension will project 4.9 meters from the rear elevation and will span 10 meters total in width (8.2m behind the current property, with an additional 2.8m width). The design includes the addition of 2 small new windows to the side elevation and 2 to the rear, with the addition of double height windows. The proposal also includes the addition of a new, tiled, dual pitch roof with 3 roof lights. The side elevation facing the side boundary wall of numbers 5 Downfield Lane (excluding roof) will be blank and will not include any additional openings.</p>	

The extension will be finished with render, roof tiles, UPVC windows and doors to match the existing property.

**Relevant planning application history:**

No planning application history that is relevant to this site or application.

**Consultation responses:**

Egremont Town Council

No objections received.

Public representations

This application has been advertised by way of neighbour notification letters issued to 2 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

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

**Other Material Planning Considerations:**

National Planning Policy Framework (NPPF)

### Emerging Copeland Local Plan (ELP).

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been submitted for examination by the Planning Inspector.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

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

### **Assessment:**

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity.

### Principle of Development

The proposed application relates to a detached residential dwelling on Downfield Lane, just off Springfield Road in Bigrigg and the extension will provide an enlarged kitchen dining area off the existing living space, with the addition of a small utility and separate shower room.

Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria of design and amenity, 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 extension will be appropriately located to the rear of the property and is considered to be modest in scale. The rear extension will be primarily located behind the main element of the existing dwelling, and this will ensure that the proposal appears subservient to the main dwelling.

Whilst the addition of the utility room and downstairs shower room projects 2.8m wider than the parent property, it will not be excessively prominent within the locality. The design, scale and choice of materials involved are considered to be suitable for its use and respects the character and appearance of the parent property.

On balance, the proposal is considered to reflect the character and appearance of the existing dwelling and there it complies with 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.

The extension will be modest in scale, respectful of the current parent property and its surroundings, and will be appropriately located within the site. Overlooking and overshadowing issues between the proposed extension and the neighbouring properties from the side elevation were considered, and whilst the proposed utility room window does not relate to a habitable room, it is located relatively close to the neighbouring boundary fence. It is therefore considered that this window is conditioned to be obscure glazed to protect neighbouring amenity.

Subject to the use of the planning condition, the proposed extension will not cause harmful overlooking and will ensure that the adjacent dwelling at 7 Downfield Lane receives appropriate protection.

On this basis, the proposal will satisfy Policies DM18(B), DM18(C) and the NPPF 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 Great Crested Newts. 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 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. Furthermore, the development will be located within the side and rear garden at ground floor level where there is already existing hard surfaces present, and therefore it is unlikely to disturb any habitats.

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 rear extension is of an appropriate scale and design and would not have any detrimental impact on the amenities of the adjoining/ adjacent properties. In addition, the planning

	<p>conditions proposed will control the obscure glazing installation to further protect the proposed appearance and amenity standards.</p> <p>The proposed development therefore 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> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must commence before the expiration of three years from the date of this permission.</li> </ol> <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> <ol style="list-style-type: none"> <li>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: -</li> </ol> <p>Application Form, received 7<sup>th</sup> October 2022;  Location Plan, scale 1:1250, drawing number 1, received 7<sup>th</sup> October 2022;  Site Plan, scale 1:1250, drawing number 1, received 7<sup>th</sup> October 2022;  Existing plans, scale 1:100, drawing number 2, received 7<sup>th</sup> October 2022;  Proposed elevations, scale 1:100, drawing number 1, received 7<sup>th</sup> October 2022;  Proposed plan, scale 1:100, drawing number 1 received 7<sup>th</sup> October 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><u>Prior to Occupation</u></p> <ol style="list-style-type: none"> <li>3. Prior to the first occupation of the extension hereby approved, obscure glazing must be installed within the utility room window on the side elevation. Once installed, the obscure glazing must be permanently maintained at all times thereafter.</li> </ol>

	<p>Reason</p> <p>To safeguard the residential amenity in accordance with Policy DM18 of the Copeland Local Plan.</p> <p><b>Informative:</b></p> <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p> <p><b>Statement:</b></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>
<p><b>Case Officer:</b> Demi Crawford</p>	<p><b>Date :</b> 29/11/2022</p>
<p><b>Authorising Officer:</b> N.J. Hayhurst</p>	<p><b>Date :</b> 29/11/2022</p>
<p><b>Dedicated responses to:-</b> N/A</p>	