

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2438/OF1
2.	<b>Proposed Development:</b>	PROPOSED DEMOLITION AND SINGLE STOREY REAR EXTENSION
3.	<b>Location:</b>	HORSLEY HOUSE, ENNERDALE ROAD, CLEATOR MOOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
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>LOCATION</b>  This application relates to Horsley House, a detached property located on Ennerdale Road in Cleator Moor. The site benefits from an existing single-storey lean-to rear extension and the rear garden is bound by a 2-metre high wall and fence.  <b>PROPOSAL</b>  Planning Permission is sought for the erection of a new single-storey rear extension to provide a new kitchen-dining room, an enlarged utility and a ground floor shower room.  The extension will project 5 metres from the rear elevation of the dwelling and it will be 6.94 metres in width. It has been designed to include a flat roof with an overall height of 3 metres and it will be lit by a roof lantern.	

The rear elevation will include bi-fold doors and a window and the side elevation facing the boundary will be blank. The side elevation facing the existing garden and driveway will include an access door and it will be finished with K-render, a black flat rubber roofing system and UPVC windows and doors to match the existing property.

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

No previous planning applications at this property.

#### **CONSULTATION RESPONSES**

##### Consultees

Cleator Moor Town Council – No objections.

##### 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

##### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

##### **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 proposed 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 residential dwelling within Cleator Moor and it will provide a new kitchen-dining room, an enlarged utility and a ground floor shower room. 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 rear extension will be relatively modest in scale and appropriately located within the site, behind the main element of the existing dwelling. This will ensure that the proposal appears subservient to the main dwelling and it will not be excessively prominent within the locality. The design is considered to be suitable to provide an enlarged kitchen-dining room, utility and a ground floor shower room. In addition, the choice of materials are considered to respect the existing character and appearance of the existing property.

On this basis, the proposal is considered to meet Policy DM18(A) and the NPPF guidance.

	<p><u>Residential Amenity</u></p> <p>Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of both the parent property and adjacent dwellings.</p> <p>Whilst potential amenity issues between the proposed extension and the neighbouring properties were considered, the extension will be relatively modest in scale and design. It will be appropriately located to the rear of the parent property and the orientation of the extension behind the existing boundary wall and fence will also ensure the proposal will not result in a significant reduction in daylight or appear overbearing for the neighbouring properties. It will also be screened by the existing detached garage and the design of the rear extension with no windows along the side elevation facing the boundary will mitigate overlooking concerns.</p> <p>In addition, under current permitted development rights, an extension could project 4metres 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 projection and height are not significantly 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.</p> <p>No concerns have been raised as part of the neighbour consultation process.</p> <p>On this basis, it was considered that the proposal will not have any adverse impacts on the neighbours and therefore the proposal is considered to satisfy Policy DM18 and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Overall, the single-storey rear extension is considered to be of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties. The proposal 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> <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>

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 2<sup>nd</sup> November 2022;  
Location Plan, scale 1:1250, drawing ref HH-FMC-009, received 2<sup>nd</sup> November 2022;  
Block Plan, scale 1:500, drawing ref HH-FMC-009, received 2<sup>nd</sup> November 2022;  
Existing Ground Floor Plan, scale 1:50, drawing ref HH-FMC-007, received 2<sup>nd</sup> November 2022;  
Proposed Ground Floor Plan, scale 1:50, drawing ref HH-FMC-008, received 2<sup>nd</sup> November 2022;  
Existing Elevations, scale 1:100, drawing ref HH-FMC-001, received 2<sup>nd</sup> November 2022;  
Proposed Elevations, scale 1:100, drawing ref HH-FMC-002, received 2<sup>nd</sup> November 2022;  
Proposed North, scale 1:50, drawing ref HH-FMC-003, received 2<sup>nd</sup> November 2022;  
Proposed East, scale 1:50, drawing ref HH-FMC-005, received 2<sup>nd</sup> November 2022;  
Proposed South, scale 1:50, drawing ref HH-FMC-004, received 2<sup>nd</sup> November 2022;  
Proposed West, scale 1:50, drawing ref HH-FMC-006, received 2<sup>nd</sup> November 2022;  
Existing and Proposed Drainage, scale 1:50 and 1:500, drawing ref HH-FMC-010, received 2<sup>nd</sup> November 2022;  
Design and Access Statement, received 2<sup>nd</sup> November 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.

#### Informative Note

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.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

#### 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.

<b>Case Officer: C. Unsworth</b>	<b>Date : 15/12/2022</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 15/12/2022</b>
<b>Dedicated responses to:- N/A</b>	