

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2448/0F1
2.	<b>Proposed Development:</b>	DEMOLITION OF EXISTING CONSERVATORY & CONSTRUCTION OF NEW SINGLE STOREY EXTENSION TO SOUTH; NEW RAISED PATIO & ALTERING OF GROUND LEVEL TO PROVIDE LEVEL ACCESS TO PATIO FROM KITCHEN & BEDROOM 3 - RESUBMISSION OF APPROVED APPLICATION 4/22/2205/0F1
3.	<b>Location:</b>	TORPOINT, EGREMONT ROAD, ST BEES
4.	<b>Parish:</b>	St. Bees
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
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 Torpoint, a detached property situated on Butler Street within St Bees. The site benefits from a large garden with existing driveway, detached double garage, and rear conservatory with raised deck.</p>  <b>PROPOSAL</b>  <p>Planning Permission is sought for the removal of the existing conservatory and erection of a new single-storey rear extension with raised patio and a new single-storey side extension. The works will provide two additional bedrooms, an enlarged kitchen-dining room and a rear sunroom. This application is an amendment to the previous permission (reference 4/22/2205/0F1).</p>	

The rear extension will project 3.2 metres from the rear elevation and it will have a width of 5.2 metres. It has been designed to include a pitched roof with an overall height of 6 metres. It will include a glazed gable on the rear elevation and patio doors on the side elevation facing the raised patio. The south-east side elevation will include floor-to-ceiling windows and it will be lit by 2 skylights. The raised patio will also measure 3.2 metres from the rear elevation and have a width of 3.4 metres. It will be 1.3 metres above ground level and it has been designed to include access steps on the side elevation and a 1 metre high glazed balustrade.

The side extension will project 4.4 metres from the south-east side elevation and it will be 8.3 metres in depth. It has been designed to include a hipped roof with an eaves height to match the existing and an overall height of 5.5 metres, below the main dwellings ridge height. It will include a window on the front elevation, two obscure glazed windows on the side elevation and patio doors on the rear elevation with access onto the new patio.

The extension and existing property will be finished in wet dash render painted off white and a red brick plinth, the roof will be natural blue/grey slate to match the existing and the windows and doors will all be replaced with anthracite grey UPVC/aluminium.

The works also include alterations to the ground level to provide level access to the patio from the kitchen and bedroom three.

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

Planning Permission has previously been granted for a new single-storey rear extension with raised patio and a new single-storey side extension (ref 4/22/2205/0F1).

#### **CONSULTATION RESPONSES**

##### Consultees

St Bees Parish Council – No objections.

##### Public Representation

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

One objection has been received as a result of this consultation, which raised the following concerns:

- Unstable ground and the subsidence of the bank to the rear of the property last year;
- Strongly feel if any foundation work was carried out and existing foundations were removed, more subsidence would occur;
- Notes any works carried out should be located on the other side of the property near the garage.

## **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

Policy DM22 – Accessible Developments

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

#### 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

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, the potential impacts on residential amenity and highway safety.

### Principle of Development

The proposed re-submission relates to a residential dwelling within St Bees and it will provide two additional bedrooms, an enlarged kitchen-dining room and a rear sunroom. 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 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 extensions will be appropriately located to the side and rear of the property and are considered to be relatively modest in scale. The rear extension will replace an existing conservatory, behind the main element of the existing dwelling and this will ensure that the proposal appears subservient to the main dwelling. It will not be excessively prominent within the locality and the proposal will not be overbearing for the neighbouring properties.

In addition, the design of the side extension with the hipped roof will reflect the character of the existing property and the choice of materials will match the appearance of the existing property.

On this basis, the proposal is considered to meet DM18 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.

Whilst amenity concerns were considered, the extensions are relatively modest in scale and suitably located within the site. The rear extension will replace an existing conservatory and the side extension is stepped off the side boundary by 2.6 metres from the front corner and 1.8 metres from the rear corner of the extension. In addition, the new raised patio will replace an existing deck to the rear of the property and therefore it is considered that the proposal will not cause an unacceptable level of overlooking or loss of privacy.

Potential overlooking due to the siting of the side elevation windows were considered, although they will provide ventilation while maintaining security from the rear patio doors. This design is considered to be acceptable and the obscure glazing design is considered to mitigate overlooking concerns. This can be secured by the use of a planning condition.

Overshadowing issues were also considered, although due to the siting within the site and the

	<p>relationship to the neighbouring properties and existing boundary treatments, it is not considered that the proposal will cause significant overshadowing.</p> <p>In addition, although one objection was received regarding unstable ground and the subsidence of the bank to the rear of the property last year and the potential harm the extension foundation will have on the boundary wall. Foundations and boundary issues are not material planning considerations and therefore cannot be taken into account in the application assessment. The concerns have been passed on to the applicant for their information.</p> <p>On this basis, the proposal is considered to comply with Policy M18 and the NPPF guidance.</p> <p><u>Highway Safety</u></p> <p>Policy DM22 encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.</p> <p>The site access and off-street parking for will remain unchanged to the side of the property. The site visit confirmed the site benefits from three off-street parking spaces and a turning area and therefore the existing driveway will provide adequate off-street parking to meet the needs of the property.</p> <p>On this basis, the side and rear extension 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.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This re-submission seeks to erect a replacement rear extension and side extension with raised patio. The main issues raised by the application were the potential amenity issues.</p> <p>The proposal is considered to be acceptable in terms of scale and design and will not have any significant detrimental impact on the amenities of the adjoining properties or highway safety. The planning condition proposed will control the obscure glazing installation in the side windows.</p> <p>On this basis, subject to the imposition of the planning conditions, the application is considered to be 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>

	<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: -</p> <p>Application Form, received 9<sup>th</sup> November 2022;  Location Plan, scale 1:1250, drawing ref 22037-04B, received 9<sup>th</sup> November 2022;  Site Plan, scale 1:200, drawing ref 22037-04B, received 9<sup>th</sup> November 2022;  Existing Floor Plans and Elevations, scale 1:100, drawing ref NIR, received 9<sup>th</sup> November 2022;  Proposed Ground Floor Plan and Elevations, scale 1:100, drawing ref 22037-04B, received 9<sup>th</sup> November 2022;  Design and Access Statement, Rev A, received 9<sup>th</sup> November 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>3. Prior to the first occupation of the extension hereby approved, obscure glazing must be installed within the windows on the south-east facing side elevation in accordance with the approved South-East Elevation Plan, drawing reference 22037-04B, received by the Local Planning Authority on 9<sup>th</sup> November 2022. Once installed, the obscure glazing must be permanently maintained at all times thereafter.</p> <p>Reason</p> <p>To safeguard the residential amenity in accordance with Policy DM18 of the Copeland Local Plan.</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>
Case Officer: C. Unsworth	Date : 03/01/2023
Authorising Officer: N.J. Hayhurst	Date : 03/01/2023
Dedicated responses to:- N/A	