

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2474/OF1
2.	<b>Proposed Development:</b>	DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION AND BUILD NEW TWO STOREY REAR EXTENSION
3.	<b>Location:</b>	SWANG FARM, GOSFORTH ROAD, SEASCALE
4.	<b>Parish:</b>	Seascale
5.	<b>Constraints:</b>	<p>ASC;Adverts - ASC;Adverts,</p> <p>Safeguard Zone - Safeguard Zone,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Potential areas for Natterjack Toads,</p> <p>DEPZ Zone - DEPZ Zone,</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</p> <p>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 Swang Farm, a semi-detached property located within Seascale. The site benefits from an existing front driveway and a large rear garden which is bound by a 2-metre wooden fence and mature planting.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the erection of a two-storey rear extension. The proposal will</p>	

provide an enlarged utility, office and shower room on the ground floor, an enlarged master bedroom with en-suite on the first floor.

The two-storey rear extension will project 5 metres from the rear elevation and it will have a width of 4.85 metres. It has been designed to include a cross-gable roof with an eaves height of 4 metres and an overall height of 5.9 metres to match the existing property. It will include an access door and first-floor window on the rear elevation and the side elevation facing the boundary will include two ground floor windows and a first-floor skylight. The side elevation facing the garden will include a utility window and two first-floor skylights. The proposed extensions will be finished in render, anthracite roof tiles and white UPVC windows and doors to match the existing dwelling.

### **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the conversion of a barn to a three bedroom dwelling (ref: 4/22/2474/0F1).

### **CONSULTATION RESPONSES**

#### Seascale Parish Council

No objections to the application as a whole but acknowledged an objection has been submitted to Copeland regarding the second storey extension and its impact of the possible loss of light to the neighbour.

The parish council assumes the planning committee will take this into account in its deliberations.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 no. properties.

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

- Concerns regarding the impact of increased surface water on already strained drainage system;
- Questioned whether a right to daylight & sunlight survey has been undertaken;
- Concerns regarding loss of light & sunshine, enjoyed for over 28 years and the extension we feel would take that away;
- Size of garden and the overshadowing will cause stress and anxiety.

### **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 DM22 – Accessible Developments

Policy DM24 – Development Proposals 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 2017-2038 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 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 and the impacts on residential amenity, flood risk and drainage, highway safety or ecology.

#### Principle of Development

The proposed application relates to a residential dwelling within Seascale and it will provide an enlarged utility, office and shower room on the ground floor, an enlarged master bedroom with en-suite on the first floor. 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 two-storey extension will replace an existing single-storey extension and it will be appropriately located to the rear of the property. It will be located behind the main element of the existing dwelling, and it will sit below the existing ridge line of the dwelling. The design therefore ensures that the extensions appear subservient to the main dwelling and it will not be excessively prominent within the locality.

The choice of materials will also match the existing property and therefore the proposal is considered to respect the character and appearance of the existing property. On this basis, the proposal is considered to meet Policy 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.

Concerns regarding loss of light have been received as a result of the neighbour consultation. The noted right to light survey is a civil matter and therefore this cannot be taken into account in the application assessment. However, the impact of the proposal on residential amenity has been considered in terms of the potential overshadowing, loss of light and dominance.

The proposal is considered to have a modest height of 5.9 metres and it will sit just below the existing ridge line. Swang Farm has a lower overall height than the adjoining neighbour, The Barn, and given the existing orientation of the dwelling to the north-west of The Barn, it is not considered that the

two-storey extension will cause significant overshadowing or dominance on the neighbouring windows.

In addition, the proposal will be located to the west of the neighbouring garden. Given the orientation and the existing impact from Swang Farm on the garden of The Barn, it is not considered that the proposal will have an unacceptable impact beyond the current position.

The proposal is also considered to be suitably located within the rear garden, stepped away from the shared boundary and therefore this design will reduce potential dominance issues.

Furthermore, the design with first-floor skylights on the side elevations mitigates potential overlooking or loss of privacy issues.

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 meet Policy DM18 and the NPPF guidance.

#### Flood Risk and Drainage

Policy DM24 seeks to protect developments against risks of flooding and ensure developments will not increase the risk of flooding elsewhere.

The Site is located within Flood Zone 1 and the proposed extended floor area is relatively modest in scale. The proposal will replace the existing ground-floor extension and will not result in a significant increase in surface water run-off. It is therefore considered that the proposal will not increase flood risk on the site or elsewhere.

Concerns were raised regarding the increased surface water on an already strained drainage system, although as this is a householder planning application, the drainage is covered by the Building Regulations process.

On this basis, the development accords with Policy DM24 of the Copeland Local Plan.

#### 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 will remain unchanged to the front of the property 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 is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.

#### 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

	<p>sites, habitats and protected species.</p> <p>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.</p> <p>It is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission for the erection of a two-storey rear extension to provide an enlarged utility, office and shower room on the ground floor, an enlarged master bedroom with en-suite on the first floor.</p> <p>Concerns have been received regarding loss of light and drainage concerns and these were taken into account in the assessment of this application.</p> <p>Due to the orientation, siting and scale of the proposal, it is not considered to cause unacceptable dominance or overshadowing. I would note the right to light survey is a civil matter and could not be taken into account.</p> <p>The proposal will replace an existing single-storey extension and the scale and design is considered to respect the character and appearance of the existing dwelling. It will not significantly increase surface water run-off and therefore it will not have a detrimental impact flood risk, highway safety or ecology.</p> <p>Overall, 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>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</li> </ol>

dates and development must be carried out in accordance with them: -

Application Form, received 6<sup>th</sup> December 2022;  
Location Plan, scale 1:1250, ref DWG01, received 6<sup>th</sup> December 2022;  
Block Plan, scale 1:500, ref DWG01, received 6<sup>th</sup> December 2022;  
Existing Ground Floor Plan, scale 1:50, ref DWG01, received 6<sup>th</sup> December 2022;  
Existing First Floor Plan, scale 1:50, ref DWG02, received 6<sup>th</sup> December 2022;  
Existing Elevations, scale 1:100, scale 1:50, ref DWG03, received 6<sup>th</sup> December 2022;  
Proposed Location Plan, scale 1:1250, ref DWG04, received 6<sup>th</sup> December 2022;  
Proposed Block Plan, scale 1:500, ref DWG04, received 6<sup>th</sup> December 2022;  
Proposed Ground Floor Plan, scale 1:50, ref DWG04, received 6<sup>th</sup> December 2022;  
Proposed First Floor Plan, scale 1:50, ref DWG05, received 6<sup>th</sup> December 2022;  
Proposed Elevations, scale 1:100, ref DWG06, received 6<sup>th</sup> December 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.

**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 : 31/01/2023**

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

**Date : 31/01/2023**

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