

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2487/OF1
2.	Proposed Development:	PROPOSED REAR SINGLE AND TWO STOREY EXTENSION TO CREATE ADDITIONAL LIVING SPACE
3.	Location:	GREEN GATES, 7 COMMON SIDE, DISTINGTON
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to Green Gates, 7 Common Side, a detached property located within Common End, Distington. The site benefits from an existing front driveway and a large rear garden. PROPOSAL Planning Permission is sought for the erection of a two-storey rear extension and single-storey side extension. The proposal will provide an enlarged kitchen-dining-living room with a new utility and WC on the ground floor and an additional bedroom with en-suite on the first floor. The two-storey rear extension will project 4.1 metres from the rear elevation and the width will match the existing dwelling. It has been designed to continue the pitched roof and heights to match the existing property and it will include bi-fold doors and two first-floor windows on the rear elevation. The side elevation facing no. 9 will include two obscure glazed bathroom windows and the	

side elevation facing no. 5 will be blank.

The single-storey side extension will extend 2.25 metres from the side elevation, up to the boundary and it will have a depth of 6.2 metres to be in line with the proposed two-storey rear extension. It has been designed to continue the existing flat-roof garage design and height and it will include a window on the rear elevation and the side elevation will be blank.

The proposed extensions will be finished in render, roof tiles and white UPVC windows and doors to match the existing dwelling. The front and rear elevations will also include cedar cladding.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Distington Parish Council

No comments received.

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 single-storey garage extension on the boundary, due to ground stability concerns;
- Concerns if foundations would encroach over the boundary;
- No concerns regarding the extension of the main building.

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 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 or highway safety.

Principle of Development

The proposed application relates to a residential dwelling within Common End, Distington and it will provide an enlarged kitchen-dining-living room with a new utility and WC on the ground floor and an additional 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 rear extension will replace an existing single-storey extension and it will be appropriately located to the rear of the property. The single-storey side extension will also be located to the rear of the existing garage. As both extensions will be located behind the main element of the existing dwelling, they 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.

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 in the rear garden, to the north of the existing property. Due to orientation of the proposal and the modest design, it is considered that the extensions will not cause significant overshadowing to the neighbouring properties.

The design mitigates overlooking concerns and the first-floor side elevation bathroom windows can be conditioned to be obscure glazed to protect neighbouring amenity. On this basis, subject to the use of the planning condition, the proposed extension will not cause harmful overlooking to the neighbouring properties.

In addition, under current permitted development rights, a single-storey side extension could project up to half the width of the original dwelling 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 side extension is not larger than what is possible under permitted development, this proposal is considered to be satisfactory.

Concerns relating to the foundations and boundary issues have been received as a result of the neighbour consultation. These are private matters and therefore cannot be taken into account in the application assessment.

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.

Highway Safety

	<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 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.</p> <p>On this basis, the proposal 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>The application seeks planning permission for the erection of a two-storey rear and single-storey side extension to provide an enlarged kitchen-dining-living room with a new utility and WC on the ground floor and an additional bedroom with en-suite on the first floor.</p> <p>The scale and design is considered to respect the character and appearance of the existing property. Taking into account the orientation of the existing property and the proposal, the proposed design is considered to be acceptable and it will not adversely harm the neighbouring amenity or highway safety. The planning condition proposed will control the obscure glazing installation on the side elevation to further protect neighbouring amenity.</p> <p>Whilst concerns were received regarding the building works foundations and boundary issues, these issues are not material planning considerations and therefore could not be taken into account into account in the application assessment.</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>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence 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> <ol style="list-style-type: none"> 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 19th December 2022;
Location Plan, scale 1:1250, received 19th December 2022;
Block Plan, scale 1:500, received 19th December 2022;
Existing and Proposed Site Plan, scale 1:100, drawing no. 05, received 19th December 2022;
Existing Floor Plans, scale 1:100, drawing no. 01, received 19th December 2022;
Existing Elevations, scale 1:100, drawing no. 02, received 19th December 2022;
Proposed Floor Plans, scale 1:100, drawing no. 03b, received 19th December 2022;
Proposed Elevations, scale 1:100, drawing no. 04c, received 19th 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.

3. Prior to the first occupation of the extension hereby approved, obscure glazing must be installed within the two windows on the south-east facing side elevation. Once installed, the obscure glazing must be permanently maintained at all times thereafter.

Reason

To safeguard the residential amenity in accordance with Policy DM18 of the Copeland Local Plan.

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

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 : 10/02/2023
Authorising Officer: N.J. Hayhurst	Date : 13/02/2023
Dedicated responses to:- N/A	