
**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2120/0F1
2.	Proposed Development:	RAISE THE ROOF HEIGHT, ERECT THREE STOREY SIDE AND REAR EXTENSION. TWO STOREY REAR EXTENSION AND PROVIDE A FIRST FLOOR REAR FACING TERRACE
3.	Location:	2 CHURCH WALK, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations & Policy	None required.
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 2 Church Walk, a semi-detached property located within Millom. Church Walk contains a mix of terraced, semi-detached and detached dwellings.</p> <p>The site benefits from two garages attached to the side of the house and it benefits from a rear garden.</p> <p>The property is bound by Church Walk, an unclassified road to the front and a public right of way and fields to the rear.</p> <p>PROPOSAL</p> <p>This application seeks a non-material amendment of the development approved under application reference 4/23/2120/0F1.</p> <p>The proposed amendment comprises:</p>

- Removal of a ground floor side elevation window;
- Remove front elevation setback/Infill the front corner.

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

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local 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

Policy ENV6 – Access to the Countryside

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Design Guide



Cumberland Council

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

Emerging Copeland Local Plan 2021-2038 (ELP)

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

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

Design

The amended window and front corner design are considered to be acceptable in relation to the existing dwelling and it will not excessively prominent within the locality.

Overall, the removal of the side window and front corner design are considered to respect the character and appearance of the dwelling.

Residential Amenity

Given the proposal relates to a removal of a window and it will infill the front corner, the

	<p>proposal is not considered to materially impact amenity issues and therefore adverse impacts upon the occupants of adjacent dwellings will not result.</p> <p><i>Conclusion</i></p> <p>The removed window and amended front corner design is acceptable in relation to the dwelling and therefore does not raise issues in respect of the design or residential amenity.</p> <p>In the context of the approved development, the proposed comprises a non-material amendment.</p>	
8.	<p>Recommendation: Approve Non-Material Amendment</p>	
Case Officer: C. Wootton		Date : 08/12/2023
Authorising Officer: N.J. Hayhurst		Date : 11/12/2023
Dedicated responses to:- N/A		