

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2124/0F1
2.	Proposed Development:	ERECT BAY WINDOW ON FRONT ELEVATION (RESUBMISSION)
3.	Location:	124 HOLBORN HILL, 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	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to 124 Holborn Hill, a mid-terraced property which fronts onto Holborn Hill located within Millom.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a bay window on the front elevation of the property. This is a resubmission of a previous scheme approved under application reference 4/22/2262/0F1.</p> <p>The application is part-retrospective as the bay window has been partially built, but works were halted following an inspection which uncovered a drain and required amended dimensions to be submitted for review.</p> <p>The overall structure will project 0.76 meters from the front elevation, and it will be 3.14 meters in width, an additional 0.3 metres wider than the previously approved scheme. It has been designed with a lean-to roof with an overall height of 2.45 metres. The walls will be</p>

finished in white spur to match the existing render, with the window finished in flat grey cement roof tiles and grey UPVC windows to match the existing property.

RELEVANT PLANNING APPLICATION HISTORY

4/22/2262/0F1 ERECT BAY WINDOW ON FRONT ELEVATION

CONSULTATION RESPONSES

Millom Town Council - No objections received.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 2 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:

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 (CS):

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 DM25 – Protecting Nature Conservation Sites, Habitats and Species



Cumberland Council

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Emerging Copeland Local Plan (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

The key issues raised by this proposal are the principle of development, its scale and design, the impacts on residential amenity and highway safety.

Principle of Development

The proposed application relates to a residential dwelling, and it will provide a bay window on the front elevation. 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 development 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 replacement bay window will be approximately 0.3 metres larger than the previous scheme approved under application reference 4/22/2262/0F1, however it is still considered to be modest in scale and appropriately sited within front garden. The design will reflect other bay windows and porches within the wider locality and the choice of materials will complement the parent property to match the existing. The proposed bay window is not considered to be excessively prominent within the locality and it is not considered to be excessively overbearing on the neighbouring properties.

On this basis, the proposal will respect the character and appearance of the existing property and therefore it is considered to meet Policy DM18(A) 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. The proposed bay window will have little impact on the residential amenity due to its modest scale and appropriate siting within the front garden. Despite the new bay window projecting outwards from the front elevation by an additional 0.3 meters, any potential overlooking and overshadowing issues are considered to be minimal. On this basis, there will be little impact on amenity of occupiers of the adjacent properties and the proposal is considered to comply with Policy DM18(C).

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan 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 may have an effect on nature conservation sites, habitats and protected species.

The application site is identified as being a potential area for Natterjack Toads. However, 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 within a built-up residential area. On this basis it is considered that it would not be necessary to seek a protected species survey for this minor application as the works being carried out are primarily to the roof and it is not considered that the development will disturb any habitats.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and NPPF.

Planning Balance and Conclusion

The proposed bay window is of an appropriate scale and design and will not have any detrimental impact on the amenities of the adjoining properties. It 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.



**Cumberland
Council**

8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"><li data-bbox="161 595 1514 672">1. The development hereby permitted shall be commenced 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"><li data-bbox="161 987 1514 1478">2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - Application Form, received 27th April 2023; Site location Plan, scale 1:2500, received 27th April 2023; Proposed Block Plan, scale 1:200, received 27th April 2023; Proposed west elevation, scale 1:100, received 27th April 2023; Proposed section A-A, scale 1:50, received 27th April 2023; Proposed South elevation, scale 1:100, received 27th April 2023; Existing South elevation, scale 1:100, received 27th April 2023; Proposed and existing Plans scale 1:50, received 27th April 2023; <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>Statement:</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: Demi Crawford	Date : 16/06/2023
Authorising Officer: N.J. Hayhurst	Date : 20/06/2023
Dedicated responses to:-	