

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2147/0F1
2.	Proposed Development:	PROPOSED DORMER TO THE FRONT ELEVATION
3.	Location:	4 TODHOLES ROAD, CLEATOR MOOR
4.	Parish:	Cleator Moor
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:	<p>SITE AND LOCATION</p> <p>The application relates to 4 Todholes Road, a terraced property situated within Cleator Moor. The property benefits from an existing skylight on the front roof slope and there are other front dormers along the terraced row.</p> <p>PROPOSAL</p> <p>Planning permission is sought for the erection of a dormer window on the front elevation. The dormer will be located in the centre of the roof, stepping back from the front elevation by 0.2 metres. It will be 5.3 metres in width and 3.1 metres in depth. It will be 1.7 metres high and</p>

will be sited below the existing ridge height. The proposal has been designed to include four windows on the front elevation and the side elevations will be blank. It will be finished in grey UPVC cladding, lead roof flashing on the flat roof and grey UPVC windows to reflect the existing property.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Consultees

Cleator Moor Town Council – No objections.

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 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



Cumberland Council

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

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

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling within Cleator Moor and it will provide a dormer window on the front elevation. Policy DM18 supports extensions and

alterations to residential properties subject to detailed criteria, which are considered below.

In addition, dormer windows are a typical feature in the surrounding residential area and therefore the principle of the development is considered to be acceptable.

On this basis, the proposal is considered to satisfy Policies ST2, DM18 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 dormer will be appropriately located in the centre of the roof. It will be stepped back from the front elevation unlike the adjacent dormer, and it will sit below the ridge line. This will ensure that the existing roofline and pitch will still be visible to respect the character and appearance of the property.

The window design and the choice of grey materials will also reflect the existing dwelling and ensure the proposal is not excessively prominent within the roofscape.

In addition, despite the large scale, there is an existing precedent of two large dormers along the row and therefore the proposal is not considered to be at odds with the character of the locality.

The proposal also relates to a side street off the main route through Cleator Moor and it will be located opposite a garage block. It is therefore considered that the proposal will not appear too prominent or visible from the wider area.

On this basis, the proposal is considered to be acceptable in relation to the parent property and the surrounding dwellings which satisfies 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.

The dwelling has an existing skylight window on the front elevation and therefore the impact of the addition of the dormer window is not considered to be significantly different to that of the existing skylight. In addition, the proposed dormer will be stepped back from the principal elevation and the side elevations will be blank. It is therefore unlikely that the proposal will cause any demonstrable harm for the existing property or the neighbouring properties beyond the current position.

On this basis, the proposal is considered to satisfy Policy DM18 and the NPPF guidance.

Planning Balance and Conclusion

The application seeks planning permission for a front dormer. The proposal is in keeping with



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	<p>the character of the area which has a precedent of large front dormers along the terraced row. The proposal is therefore of an acceptable scale and design and would not have any detrimental impact on the amenities of the adjoining properties.</p> <p>On balance, 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: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"><p>The development hereby permitted must commence before the expiration of three years from the date of this permission.</p><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>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 22nd May 2023; Site Location Plan, scale 1:1250, drawing reference 4THR-PAD-SLP, received 22nd May 2023; Block Plan, scale 1:500, drawing reference SNG-4TH-P-ESBP, received 22nd May 2023; Existing Floor Plan and Elevations, scale 1:100, drawing reference SNG-4TH-D-EP, received 22nd May 2023; Proposed Floor Plan and Elevation, scale 1:100, drawing reference SNG-4THR-PAD-PP, received 22nd May 2023.</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>

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 : 13/07/2023

Authorising Officer: N.J. Hayhurst

Date : 17/07/2023

Dedicated responses to:- N/A