

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2204/0F1
2.	Proposed Development:	PROPOSED LEAN-TO CARPORT WITH EN-SUITE ABOVE
3.	Location:	TAMARISK, DRIGG
4.	Parish:	Drigg and Carleton
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Drigg 3KM, Outer Consultation Zone - Sellafield 10KM
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 Tamarisk, a detached property situated within Drigg. The site benefits from a large garden with an existing front driveway and boundary hedge along the	

side boundary.

The site is accessed along an unclassified track which is also a public right of way.

PROPOSAL

Planning permission is sought for the erection of a two-storey side extension to provide a car port on the ground floor and an en-suite on the first floor.

The extension will project 4 metres from the side elevation to match the existing utility projection and it will be 5.5 metres in depth, in front of the utility and in line with the front elevation of the dwelling. It includes a lean-to roof with an eaves height of 3.4 metres and an overall height of 5.5 metres. It has been designed to include an open ground floor and a blank side, rear and front elevation at first floor level.

The proposal will be finished in west dash and a slate roof to match the existing property. It will also include two skylights.

RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the following:

- DEMOLITION OF GARAGE AND REBUILDING OF GARAGE, WITH STORE (ref: 4/97/0535/0).

CONSULTATION RESPONSES

Consultees

Drigg and Carleton Parish Council – No objections.

Public Representations

The application has been advertised by way of neighbour notification letters issued to 1 no. property - 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



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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

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)

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.

The Planning Inspector has now issued their post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a

sound plan on adoption.

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

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, the potential impacts on residential amenity, highway safety, the public right of way and ecology.

Principle of Development

The proposed application relates to a residential dwelling within Drigg and it will provide an car port on the ground floor and en-suite on the first floor. 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 extension satisfies 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 two-storey extension will be appropriately located to the side of the property



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and it will be relatively modest in scale. The lean-to roof design will reflect the existing rear lean-to utility and garage extension and it will sit below the existing eaves of the main dwelling. This will ensure the extension appears subservient to the main dwelling and it will not be excessively prominent in the locality. In addition, the materials will 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(A) and 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 residential amenity issues were considered, the side extension is considered to be relatively modest in scale and it will be suitably located to the side of the property and in front of the existing utility extension.

No concerns were raised as a result of the neighbour consultation process and, due to the orientation of the extension to the north of the existing property, it is considered that the proposed side extension will not cause a significant loss of light or dominance on the neighbouring properties. The existing boundary fence will also provide screening.

In addition, the side elevation will be blank and therefore the design mitigates overlooking concerns.

On balance, the proposal is considered to be acceptable. Taking into account the siting of the extension and the orientation of the existing property, the proposed extension design is acceptable and it will not adversely harm the neighbouring amenity. It is therefore considered that the proposal satisfies Policies DM12, DM18(B), DM18(C) and the NPPF guidance.

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 the car port will also provide a parking space. It is therefore considered that the proposal will not interfere with the parking provisions and it will meet the needs of the property.

On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.

Public Right of Way

The site visit confirmed a PROW runs along the access track to the front of the dwelling and although the proposed extension will be visible from a small section of the Public Right of Way, it is modest in scale and viewed in the context of the existing residential dwelling. As such, the proposal is not considered to harm the physical footpath or the amenity of the user.

	<p>Overall, the proposal is considered to satisfy Policies ENV6, DM10 and the NPPF guidance.</p> <p><u>Ecology</u></p> <p>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 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 relates to a residential extension and it does not relate to the ALGE tigger list. The proposal relates to an existing domestic garden, an unlikely habitat for natterjack toads and therefore it is not considered to be necessary to seek an ecological survey for this minor application.</p> <p>Overall, 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>This application seeks to erect a two-storey side extension to a detached property within Drigg. The main issue raised by the application was the scale and the potential impact on neighbouring amenity.</p> <p>Taking into account the siting of the extension and the orientation of the existing property, the proposed scale and design are considered to be acceptable, and it will not adversely harm the neighbouring amenity, highway safety, the public right of way or ecology.</p> <p>On balance, the proposed extension 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> <p>1. 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>2. This permission relates to the following plans and documents as received on the</p>



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

Application Form, received 18th July 2023;

Location Plan, scale 1:1250, drawing reference 23.08.02b, received 18th July 2023;

Block Plan, scale 1:200, drawing reference 23.08.02b, received 18th July 2023;

Existing Floor Plans and Elevations, scale 1:100, drawing reference 23.08.01, received 18th July 2023;

Proposed Floor Plans, scale 1:50, drawing reference 23.08.02b, received 18th July 2023;

Proposed Elevations, scale 1:100, drawing reference 23.08.02b, received 18th July 2023.

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. Wootton

Date : 08/09/2023

Authorising Officer: N.J. Hayhurst

Date : 11/09/2023

Dedicated responses to:- N/A