

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/23/2217/0F1
2.	<b>Proposed Development:</b>	PROPOSED TWO STOREY SIDE EXTENSION TO ACCOMODATE GARAGE/BEDROOM AND SHOWER ROOM AND REAR SINGLE STOREY EXTENSION TO ACCOMODATE EXTRA LIVING ROOM AND KITCHEN SPACE
3.	<b>Location:</b>	28 CRAGG ROAD, CLEATOR MOOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: NO  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to 28 Cragg Road, a semi-detached property located on an existing housing estate within Cleator Moor. The site is benefits from a large garden with a detached garage and a driveway to the front of the dwelling.</p> <p><b>PROPOSAL</b></p> <p>Planning Permission is sought for the removal of the detached garage and the erection of a two-storey side extension and a single-storey rear extension. The extension will provide an</p>

enlarged kitchen-dining-living room, a utility, shower room and garage on the ground floor and a new master bedroom and en-suite at first floor level.

The two-storey extension will project 3.3 metres from the side elevation, and it will have an overall depth of 5.8 metres to match the existing dwelling. It has been also designed to continue the existing roof pitch and height. The front elevation will include a garage door on the ground floor and a bedroom window on the first floor, the side elevation will include two ground floor access doors and the rear elevation will include an en-suite window on the first floor.

The single-storey extension will project 3.65 metres from the rear elevation, and it will be 11.7 metres in width. It has been designed to include a lean-to roof with an overall height of 3.6 metres and an eaves height of 2.4 metres. It will include two sets of bi-fold doors on the rear elevation along with two windows and the side elevations will be blank. It will also be lit by 4 skylights.

The proposed extensions will be finished with render, roof tiles and UPVC windows and doors to match the existing dwelling.

### **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications at this property.

### **CONSULTATION RESPONSES**

Cleator Moor Town Council – No objections.

#### Public Representations

The application has been advertised by way of neighbour notification letters issued to 3 no. properties.

Initial concerns were received regarding the first-floor side elevation window.

No further comments were received as a result of the amended plans re-consultation.

### **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



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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

#### 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 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**

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

### Principle of Development

The proposed application relates to a residential dwelling on an existing housing estate within Cleator Moor and it will provide an enlarged kitchen-dining-living room, a utility, shower room and garage on the ground floor and a new master bedroom and en-suite at first floor level. 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 side extension and the single-storey rear extension are considered to be relatively modest in scale and appropriately located within the site. The design of the continuation of the roof height and pitch on the side extension will reflect the appearance of the existing property.

The proposal will also replace an existing detached garage and the proposed single-storey lean-to roof design is considered to be acceptable. It is considered to reflect the character and appearance of the existing property and it will not overdevelop the site, in accordance with Policy DM18(D). In addition, the proposed materials will match the existing property and ensure the proposal does not appear excessively prominent in the locality.

On this basis, the proposal is considered to meet Policy DM18 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.

The site visit confirmed that the neighbouring property, no. 29 Cragg Road has habitable room windows on the side elevation facing the application site. Concerns were raised with the



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agent as the proposed extension also included a first-floor side elevation habitable room window and the small separation distance was considered to create harmful overlooking impacts for both properties. On this basis, the proposed first floor side elevation window was removed. This is therefore considered to satisfy the amenity considerations in Policy DM18(C). Although to further protect neighbouring amenity, obscure glazing can be secured by the use of a planning condition in the side elevation access door windows.

In addition, due to the orientation of the existing property to the north of no. 29 Cragg Road, the two-storey side and single-storey rear extension will not cause a significant loss of light or dominance on the neighbouring properties.

The proposed single-storey rear extension will also not be significantly larger than what is possible under permitted development. Under current permitted development rights, an extension could project 3 metres from the rear elevation with a 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 and therefore the single-storey rear extension aspect of the proposal is also considered to be satisfactory.

On balance, the proposal is considered to be acceptable. Taking into account what is possible under Permitted Development and the orientation of the existing property, the amended extension design with the removed side elevation window is acceptable and it will not adversely harm the neighbouring amenity. It is therefore considered that the proposal satisfies Policies 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 therefore it is considered that the existing driveway will provide adequate off-street parking to meet the needs of the property.

On this basis, the proposal is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.

### Planning Balance and Conclusion

The application seeks planning permission for the erection of a two-storey side extension along with a single-storey rear extension.

Following initial concerns regarding the impact on neighbouring amenity from the first-floor side elevation window, this window was removed from the plans. No further comments were received as part of the re-consultation.

The proposed extension is considered to reflect the character and appearance of the existing property and it is of an appropriate scale and design. It would not have any detrimental impact on the amenities of the adjoining properties or highway safety.

	On this basis, 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.
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></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 respective dates and development must be carried out in accordance with them: -</p> <p>Application Form, received 27<sup>th</sup> July 2023;</p> <p>Location Plan, scale 1:1250, drawing no. 445-01001-01, received 27<sup>th</sup> July 2023;</p> <p>Block Plan, scale 1:250, drawing no. 445-01002-01, received 27<sup>th</sup> July 2023;</p> <p>Existing Ground and First Floor Plans, scale 1:50, drawing no. 445-01003-01, received 27<sup>th</sup> July 2023;</p> <p>Existing Elevations, scale 1:100, drawing no. 445-02001-01, received 27<sup>th</sup> July 2023;</p> <p>Proposed Ground Floor Plan, scale 1:50, drawing no. 445-04001-02, received 27<sup>th</sup> July 2023;</p> <p>Proposed First Floor Plan, scale 1:50, drawing no. 445-04003-04, received 4<sup>th</sup> September 2023;</p> <p>Proposed Elevations, scale 1:100, drawing no. 445—05001-03, received 4<sup>th</sup> September 2023;</p> <p>Proposed Section, scale 1:50, drawing no. 445-06001-02, received 27<sup>th</sup> July 2023.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act</p>



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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 access door windows on the side elevation. Once installed the obscure glazing must be permanently maintained at all times thereafter.

### Reason

To protect neighbouring 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](http://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. Wootton**

**Date : 28/09/2023**

**Authorising Officer: N.J. Hayhurst**

**Date : 02/10/2023**

**Dedicated responses to:- N/A**