

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2231/0F1
2.	Proposed Development:	SINGLE STOREY FRONT, SIDE, AND REAR EXTENSIONS TO AN EXISTING BUNGALOW, WITH INTERNAL AND EXTERNAL ALTERATIONS
3.	Location:	38 LOWTHER ROAD, 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 38 Lowther Road, a detached bungalow located on an existing housing estate within Millom. The site benefits from a large wrap-around garden and an existing single-storey attached flat roofed garage and driveway for one vehicle to the front of the property.</p> <p>PROPOSAL</p> <p>Planning Permission is sought for the erection of a single-storey side and rear extension</p>

along with a front porch. The extension will provide a new lounge, master bedroom with ensuite, utility and an enlarged kitchen-dining room and family bathroom.

The single-storey side extension will project 2.906 metres from the side elevation and the depth will be 7.368 to match the existing property. It has also been designed to continue the roof pitch and height. It will include two new windows on the front elevation, patio doors on the rear elevation and the side elevation will be blank.

The single-storey rear kitchen extension will have an overall projection of 6 metres from the rear elevation and it will be 6 metres in width. The extension also includes a rear bathroom protection of 3 metres and it will have a width of 3.6 metres. It has been designed to include a flat roof with an overall height to match the existing eaves of the dwelling. The kitchen will be lit by a roof lantern and it will include sliding patio doors on the side elevation facing the side garden. The rear elevation will include a kitchen window and a bathroom and the side elevation facing the boundary will include an access door and a bathroom window.

The porch will project 1.2 metres from the front elevation of the dwelling and it will be 2.275 metres in width. It has been designed to include a pitched roof with an eaves to match the existing dwelling and an overall height of 3.6 metres. The front elevation will include a front door and glazed gable above and the side elevations will be blank.

The proposed extensions will be finished with bricks, painted wet dash render and concrete roof tiles to match the existing dwelling. The proposal also includes a fibreglass roof covering to the flat roof and the windows and doors will be replaced with anthracite grey UPVC.

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous planning applications at this property.

CONSULTATION RESPONSES

Millom Town Council

No objections.

Highways and LLFA

Standing Advice.

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.

PLANNING POLICIES



Cumberland Council

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

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.

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 N1PU – Conserving and Enhancing Biodiversity and Geodiversity

ASSESSMENT

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

Principle of Development

The proposed application relates to a residential dwelling on an existing housing estate within Millom and it will provide a new lounge, master bedroom with ensuite, utility and an enlarged kitchen-dining room and family bathroom. 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 single-storey side, rear and front porch extension will be relatively modest in scale and appropriately located within the site. The design of the continuation of the roof



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height and pitch on the side extension will reflect the appearance of the existing property and the single-storey rear extension is also considered to be appropriate in design for its use. The overall design will also appear subservient to the main dwelling and it will not be excessively prominent within the locality. In addition, the proposed materials will match the existing property which will ensure the proposal reflects the character and appearance of the existing dwelling. The new anthracite grey windows and doors are also considered to modernise the property.

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.

Whilst amenity issues between the proposed extensions and the neighbouring properties were considered, both the side, rear and front porch extension will be relatively modest in scale and appropriately located within the site.

No concerns were raised as a result of the neighbour consultation process and, due to the orientation of the existing property, it is considered that the proposed single-storey side and rear extensions will not cause a significant loss of light or dominance on the neighbouring properties no. 40 Lowther Road and 1 Buttermere Drive.

In addition, due to existing boundary treatments and the design and siting within the large garden, the proposal is considered to mitigate overlooking or privacy issues.

On balance, the proposal is considered to be acceptable. Given the size of large garden and the orientation of the existing property, the proposed extensions are acceptable, and they 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.

As the proposal will increase the number of bedrooms, an additional off-street parking spaces has been proposed. The installation of this can be secured by the use of a planning condition to ensure two off-street parking spaces are provided to meet the needs of the property.

On this basis, the proposal will improve the existing off-street parking provision and therefore it is considered to comply with Policy DM22 and the standards set out in the Cumbria Development Design Guide.

Ecology

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

	<p>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 is not located within 200m of a watercourse (as indicated within the ALGE trigger list) and is located on an existing housing estate. On this basis, it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this minor application.</p> <p>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>The application seeks planning permission for the erection of a single-storey side, rear and front porch extension.</p> <p>The proposed extensions are considered to be of an appropriate scale and design and will not have any significant detrimental impact on the amenities of the neighbouring properties, highway safety or ecology. In order to ensure adequate off-street parking is provided to meet the needs of the three-bedroom property, the proposed widened driveway can be secured by the use of a planning condition.</p> <p>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.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must commence before the expiration of three years from the date of this permission. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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:- Application Form, received 9th August 2023; Location Plan, scale 1:1250, drawing no. 23-28-P-L, received 9th August 2023; Block Plan, scale 1:500, drawing no. 23-28-P-L, received 9th August 2023; Proposed Site Plan, scale 1:200, drawing no. 23-28-P-01A, received 28th September

2023;

Existing Floor Plan and Roof Plan, scale 1:100, drawing no. 23-28-P-02, received 9th August 2023;

Existing Elevations, scale 1:100, drawing no. 23-28-P-03, received 9th August 2023;

Proposed Floor Plans, scale 1:100, drawing no. 23-28-P-05, received 9th August 2023;

Proposed Elevations, scale 1:100, drawing no. 23-28-P-06, received 9th August 2023;

Existing 3D Sketches, drawing no. 23-28-P-04, received 9th August 2023;

Proposed 3D Sketches, drawing no. 23-28-P-07, received 9th August 2023;

Flood Map Plan, received 9th August 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.

3. Prior to first use of the extension hereby approved, the off-street parking provision shall be installed in accordance with the approved 'Proposed Site Plan', ref 23-28-P-01A, received by the Local Planning Authority on 28th September 2023. Once installed, the driveway must be maintained in accordance with the approved details at all times thereafter.

Reason

To ensure suitable off-street parking is provided in accordance with Policy DM22 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

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 : 02/10/2023
Authorising Officer: N.J. Hayhurst	Date : 04/10/2023
Dedicated responses to:- N/A	