

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2309/0F1
2.	<b>Proposed Development:</b>	DEMOLISH EXISTING GARAGE AND CONSTRUCT NEW SIDE GARAGE EXTENSION AND REAR SUN ROOM - RESUBMISSION
3.	<b>Location:</b>	28 PINWOODS, GILGARRAN
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Bounds of Sensitive Area for Hen Harriers, Outer Consultation Zone - Cycliffe 3KM
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>  <b>SITE AND LOCATION</b>  This application relates to 28 Pinewoods, a semi-detached bungalow situated on an existing housing estate within Gilgarran. The site is slightly elevated above the street, and it benefits from a large garden with an existing garage and driveway at the side of the property and a single-storey conservatory within the rear garden.  <b>PROPOSAL</b>  Planning Permission is sought for the demolition of the existing garage to allow the construction of a new side garage extension and rear sunroom, which is a resubmission of an earlier approval following some amendments to the proposal.	

It is also proposed that the front garden area is levelled out as per the previous approval.

The extension will provide a side garage extension, with a rear extension to provide an open plan kitchen area. The rear sunroom extension will meet the garage extension with an overall width of 11.88 metres along the rear elevation.

The side garage extension will project 5.82 metres from the side elevation of the bungalow, and it will have a depth of 7 metres. It has been designed to include a dual pitch roof where the overall height and eaves will almost mimic the existing dwelling. It has been designed to include a garage door on the front elevation and a double access door on the rear elevation. The side elevation will contain an access door. There will be an access corridor between the proposed garage extension and the existing side elevation of the dwelling. The side elevation facing adjacent to 29 Pinewoods will be blank.

The rear sunroom extension will project 2.907 metres and it will be 5.71 metres in width. It has been designed to include a flat roof and a roof lantern. It will include bi-fold doors on the rear elevation and the side elevation will be blank.

Both extensions will be finished in wet dash render, marley modern anthracite roof tiles and white UPVC windows and doors to match the existing house.

## **RELEVANT PLANNING APPLICATION HISTORY**

4/22/2439/0F1 – PROPOSED SIDE AND REAR EXTENSIONS ALONG WITH LEVELLING AT FRONT GARDEN AREA AND BUILDING WALL

## **CONSULTATION RESPONSES**

### Consultees

Distington Parish Council – No comments.

### Local Lead Flood Authority (LLFA) & Highways

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement. The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

### Public Representations

The application has been advertised by way of neighbour notification letters issued to 5 no. properties - No letters of objection have been received as a result of this consultation process.



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## **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**

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

#### 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

Policy N1PU – Conserving and Enhancing Biodiversity and Geodiversity

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Wildlife and Countryside Act 1981

### **ASSESSMENT**

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

#### Principle of Development

The proposed application relates to a residential dwelling within Gilgarran and it will provide an enlarged side extension garage and a rear sunroom extension. 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 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.

This application is a resubmission of a previous scheme approved under application reference 4/22/2439/0F1 which has been scaled back to include ground floor alterations only. The side garage extension will now project 5.82 metres in external width and it will have an external depth of 7 metres. It has been designed to include a garage door on the front elevation and a double access door on the rear elevation. The side elevation will contain an access door into the proposed rear sunroom. There will be an access corridor between the proposed garage extension and the existing side elevation of the dwelling. The side elevation facing adjacent to 29 Pinewoods will be blank.

The rear sunroom extension will project 2.907 metres and it will be 5.71 metres in width. It has been designed to include a flat roof and a roof lantern. It will include bi-fold doors on the rear elevation and the side elevation will be blank. Both extensions will be finished in wet dash render, marley modern anthracite roof tiles and white UPVC windows and doors to match the existing house.



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The proposal is considered to be more modest in scale than the previously approved scheme and the dual pitched roof, along with the choice of material proposed to match the existing dwelling ensures that the proposal respects the character and appearance of the existing bungalow and wider street-scene.

The scale of the side garage is considered acceptable given that there is already a garage on this site of similar size and construction with an adjoining canopy connecting it to the side elevation of the dwelling. Furthermore, given the location at the end of this residential cul-de-sac, the proposal is not considered to be excessively prominent within the street scene.

On balance, the proposal is considered to meet 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 both the parent property and adjacent dwellings. Whilst amenity issues between the proposed extension and the neighbouring properties were considered, the proposal is considered to be suitably located within the site.

Given that there is already a garage on this site of similar size and construction to the one proposed which also includes an adjoining canopy connecting it to the side elevation of the dwelling, it is not considered that the proposal will cause any additional amenity issues for the neighbouring properties.

The rear sunroom extension is replacing an already existing conservatory which reduces the amount of glazing on the side elevations. It is therefore considered that the proposal will not cause significant loss of light or dominance on the neighbouring properties.

The dual pitch garage roof design, at the end of a residential cul-de-sac is not considered to be excessively prominent within the street-scene.

The garage is not a habitable room, and no openings are proposed on the side elevation adjacent to 29 Pinewoods, therefore the proposal is not considered to cause any overlooking issues.

On balance, it is not considered that the proposal will have a detrimental impact on the neighbouring amenity. The proposal is therefore considered that the proposal will meet Policy DM18 and the NPPF guidance.

### 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 approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

The application site is identified as a potential area for hen harriers. The application is not supported by any ecology details as the site is located on an existing housing estate.

	<p>On this basis, it is considered that this is not a habitat that is likely to attract hen harriers and so it would not be necessary to seek an ecological survey for this minor application. 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 side garage extension and rear sunroom extension and is a resubmission of a larger scheme previously approved under application reference 4/22/2439/0F1.</p> <p>The proposal is considered to be suitably located within the site and is acceptable in terms of its scale and design. In addition, the proposal will not have any detrimental impact on the amenities of the adjoining properties or ecology details.</p> <p>On balance, the application is considered to be 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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol> <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>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: - <ul style="list-style-type: none"> <li>- Application Form, received 26<sup>th</sup> October 2023;</li> <li>- Location Plan, scale 1:500, received 26<sup>th</sup> October 2023;</li> <li>- Location Plan 1:1250, received 26<sup>th</sup> October 2023;</li> <li>- Ground Floor Plan, scale 1:100, Drawing DWG01, received 26<sup>th</sup> October 2023;</li> <li>- Existing Elevations, scale 1:50, Drawing DWG01, received 26<sup>th</sup> October 2023;</li> <li>- Proposed Location Plan, scale 1:500, received 26<sup>th</sup> October 2023;</li> <li>- Proposed Block Plan scale 1:200, received 26<sup>th</sup> October 2023;</li> </ul> </li> </ol>



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- Proposed Ground Floor Plan, scale 1:100, Drawing DWG02, received 26<sup>th</sup> October 2023;
- Proposed Elevations, scale 1:50, scale 1:100, Drawing DWG02, received 26<sup>th</sup> October 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. The garage shall be used for the parking of private vehicles and domestic equipment only in association with the residential property known as 28 Pinewoods and for no commercial or business purposes whatsoever.

### Reason

To ensure that non-conforming uses are not introduced into the area.

### 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: Demi Crawford**

**Date : 13/12/2023**

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

**Date : 15/12/2023**

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