

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2320/0F1
2.	<b>Proposed Development:</b>	SINGLE STOREY SIDE EXTENSION
3.	<b>Location:</b>	MURTON COTTAGE, LAMPLUGH
4.	<b>Parish:</b>	Lamplugh
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: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b> <b>SITE AND LOCATION</b> <p>This application relates to Murton Cottage, a semi-detached property located approximately 0.8 miles south-west of Lamplugh.</p> <p>The application is accessed along an unclassified track off the A5086 and the site benefits from an existing single-storey rear kitchen extension, a large parking and garden area.</p> <p>In addition, public right of way 412006 lies adjacent to the site, although this was diverted on 18 January 2022.</p>	

## **PROPOSAL**

Planning Permission is sought for the erection of a single-storey side extension to provide a garage and wood store.

The proposed extension will project 5.5 metres from the side elevation, and it will be 7 metres in depth. It has been designed to include a pitched roof with an overall height of 3.564 metres and an eaves height of 2.393 metres. The front elevation will be blank, the side elevation will include two windows and the rear elevation will include an access door and garage door.

The extension will be finished with wet dash render, local slate and white UPVC windows and doors to match the existing property and also an aluminum garage door.

## **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for the erection of a single-storey rear extension (ref: 4/22/2113/0F1).

## **CONSULTATION RESPONSES**

### Lamplugh Parish Council

No comments received.

### Footpath Officer

No objections.

### Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 4 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



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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 ENV6 – Access to the Countryside

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

### **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 submitted for examination 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 CO6PU – Countryside Access

Policy CO7PU – Parking Standards and Electric Vehicle Charging Infrastructure

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

### **ASSESSMENT**

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

#### Principle of Development

The proposed application relates to a residential dwelling close to Lamplugh and it will provide a garage and wood store. 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.

The proposed extension will be modest in scale to provide a single garage and wood store. It is considered to be appropriately located within the side garden and it will be stepped back from the front elevation. The design will ensure the proposal appears subservient to the main dwelling and due to the character of the site, the blank front elevation and garage door on the rear elevation is considered to be acceptable.

In addition, due to the location within the side garden, it will not be overbearing for the neighbouring properties. The choice of materials will also match the existing property and therefore the extension will not be excessively prominent within the locality.

On this basis, the proposal is considered to respect the character and appearance of the existing dwelling and therefore, the proposal is considered to comply with Policies DM10 and DM18(A) and the NPPF guidance.



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### 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.

Potential amenity issues between the proposed extension and the neighbouring properties were considered. However, due to the siting and orientation of the extension to the side of the existing property, it is not considered that the proposal will create unacceptable dominance or overshadowing issues. In addition, due to the siting of the proposed windows, it is not considered that the extension will cause harmful overlooking issues.

On this basis, the proposal is considered to meet Policies DM18(B), DM18(C) and the NPPF guidance.

### Highway Safety

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.

The site visit confirmed the existing off-street parking to the rear of the property and the proposed garage will satisfy the needs of the dwelling and the Highway Authority requirements. The proposal is not considered to have a material effect on the existing highway conditions and therefore the proposal is acceptable.

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

### Impact on Public Right of Way

Policy ENV6 recognises that existing Public Rights of Way are protected in law.

Public Rights of Way 412006 previously ran adjacent to the rear corner of the dwelling, although it has been diverted along the access track. The Cumbria County Council Footpath Officer confirmed the location of the diverted the right of way which is approximately 5 metres away from the proposed side extension.

On this basis, although the proposed extension will be visible from a small section of the Public Right of Way, it will be modest in scale and it will be viewed in the context of the existing dwelling and as such will not have any detrimental impact on the Public Right of Way. The proposal will not harm the physical footpath or the amenity of the user, although an informative note has been attached to ensure the right of way remains open and unobstructed.

Overall, therefore the proposal is considered to satisfy Policies ENV6, DM10 and the NPPF guidance.

### Planning Balance and Conclusion

The proposed single-storey side extension is of an appropriate design and will not have any detrimental impact on the amenities of the adjoining properties, highway safety or the public

	right of way. It therefore 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.	<b>Recommendation:</b> Approve (commence within 3 years)
9.	<b>Conditions:</b> <ol style="list-style-type: none"> <li>           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.         </li> <li>           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 7<sup>th</sup> November 2023;            Location Plan, scale 1:1250, drawing no. DWG02, received 7<sup>th</sup> November 2023;            Proposed Block Plan, scale 1:500, drawing no. DWG02, received 7<sup>th</sup> November 2023;            Proposed Floor Plan, scale 1:50, drawing no. DWG02, received 7<sup>th</sup> November 2023;            Proposed Elevations, scale 1:100, drawing no. DWG02, received 7<sup>th</sup> November 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.         </li> </ol> <p><b>Informative Note</b></p> <ol style="list-style-type: none"> <li>           A PROW (public footpath) number 412006 lies adjacent to/runs through the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.         </li> <li>           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:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a> </li> </ol>



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	<b>Statement</b>  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.
<b>Case Officer: C. Wootton</b>	<b>Date : 05/01/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 08/01/2024</b>
<b>Dedicated responses to:- N/A</b>	